

Memorandum



Date: June 15, 2011

To: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

From: Alina T. Hudak
County Manager

Subject: Proposed FY 2012 Consolidated Planning Process Policies

EDSS
Agenda Item No. 1(F)1

RECOMMENDATION

It is recommended that the Board of County Commissioners (BCC) adopt the attached FY 2012 Consolidated Planning Process Policies (Policy Paper) which will govern the implementation of Miami-Dade County's FY 2008 through FY 2012 Consolidated Plan. This Policy Paper outlines the utilization of Community Development Block Grant (CDBG), Emergency Solutions Grant (ESG), Home Investment Partnerships (HOME), and State Housing Initiatives Partnership (SHIP) program income, and Documentary Stamp Surtax (Surtax) funding. Once adopted, these policies will be used to complete the FY 2012 Consolidated Request for Applications (RFA) process, which will be used to develop the FY 2012 Action Plan for BCC consideration and approval.

SCOPE

The attached FY 2012 Policy Paper addresses the needs of low to moderate income communities within the Miami-Dade County entitlement jurisdiction. The Miami-Dade County entitlement jurisdiction excludes six municipalities that receive their own federal entitlements directly from the US Department of Housing and Urban Development (US HUD). These are Miami Gardens, Miami, Hialeah, Miami Beach, North Miami and Homestead. In addition, one municipality (Florida City) participates in the State's Small Cities Program for CDBG and HOME funds.

The County's CDBG entitlement funds are utilized to meet the needs of residents in the unincorporated municipal service area (UMSA) and municipalities that do not receive their own entitlement. Often referred to as the "participating municipalities", these cities have decided to participate in the County's CDBG program instead of the State's Small Cities Program. Participating municipalities include Sweetwater, North Miami Beach, South Miami, Opa-Locka, Hialeah Gardens and the Village of El Portal.

FISCAL IMPACT

The FY 2012 Policy Paper contemplates the funds anticipated from federal, state, and local sources in FY 2012 as shown in the Table 1 below. As part of the Action Plan that will be developed using this Policy Paper, these revenues will be recommended for allocation to developers, municipalities, not-for-profit organizations and for projects benefiting the entitlement jurisdiction that will be managed by County departments. Emphasis will be placed on addressing high priority needs in low to moderate income communities.

Table 1. Projected Funds Available for FY 2012

Funding Source	Type	FY 2011 Anticipated Funding	FY 2012 Estimated Funding
Community Development Block Grant (CDBG)*	Federal	\$14,330,400	\$13,613,880
Emergency Solutions Grant (ESG)	Federal	750,000	750,000
Home Investment Partnerships (HOME)*	Federal	6,679,000	6,345,050
State Housing Initiatives Partnership Program Income (SHIP)	State	500,000	500,000
Documentary Surtax	Local	Not included	11,900,000
TOTAL ALL SOURCES		\$22,259,400	\$33,108,930

* Excludes program income

Surtax and SHIP funds are included in this Policy Paper, as this approach offers an opportunity to conduct a single RFA for projects to be funded from all federal, state, and local funds.

EXPENDITURE LIMITS AND REQUIREMENTS

In developing the Policy Paper and Action Plan, the programs will adhere to the expenditure limits imposed by funding agencies. US HUD has established requirements for the commitment, expenditure and allocation of federal awards to its grantees. Failure to manage program awards within these guidelines may result in forfeiture of funds, cancellation of some activities and assessment of penalties. For example, one of US HUD's primary requirements regarding CDBG is that on November 1 of each year, the County may not have more than 1.5 times its annual allocation in its line of credit with US HUD. Failure to meet this spending ratio will result in the County forfeiting the difference between the balance in the line of credit and the value of the spending ratio. Also, regarding HOME funds, US HUD will cancel funding for HOME activities that have no disbursed funds within a 12-month period.

Table 2 shows the expenditure limits and funding requirements for the federal, state, and local funding sources.

Requirement	CDBG (federal)	HOME (federal)	ESG (federal)	Surtax (Local)	SHIP (State)
Administrative Cap	20%	10%	None	10%	10%
Public Service	15%	N/A	N/A	N/A	N/A
Required Local Match	NONE	25%	100%	N/A	N/A
Leveraging	Demonstrate leveraging of non-federal funds	Demonstrate leveraging of non-federal funds	Demonstrate leveraging of non-federal funds	No requirement. Strongly recommended	No requirement, Strongly recommended
CHDO Set-Aside*	N/A	15%*	N/A	N/A	N/A
Commitment Deadline	Reserves cannot be established or maintained	2 years	None	None	2 years
Expenditure Deadline	8 years	5 years	None	N/A	3 years
Rental	N/A	N/A	N/A	Minimum of 35%	N/A
Homeownership	N/A	N/A	N/A	Minimum of 35%	N/A

Note: *15 percent of HOME funds must be set-aside for a HOME Community Housing Development Organization (CHDO). A CHDO is a private non-profit organization that provides decent housing that is affordable to low and moderate income persons as evidenced in the CHDO's charter, articles of incorporation, resolutions, or by-laws. A CHDO may apply for funding as a Developer, Owner, or Sponsor, but only CHDOs may apply for a HUD mandated set-aside percentage of local HOME funds.

Below is a brief description of the funding sources in this Policy Paper:

- **CDBG:** Funds are distributed by a federal formula based on a community's population, poverty, the age of its housing stock, and extent of overcrowded housing. The CDBG program is authorized under Title I of the Housing and Community Development Act of 1974, as amended and enables local governments to undertake a wide range of activities intended to create suitable living environments, provide decent affordable housing and expanded economic opportunities, primarily for persons of low- and moderate-income.
- **HOME:** Federal funds are allocated to units of general local government on the basis of a formula that considers the relative inadequacy of each jurisdiction's housing supply, its incidence of poverty, its fiscal distress, and other factors. HOME is authorized under Title II of the Cranston-Gonzalez National Affordable Housing Act, as amended and enables states and local governments to implement local housing strategies designed to increase homeownership and affordable housing opportunities for low and very low-income residents.
- **ESG:** The federal government distributes a share of US HUD's Homeless Assistance Grants as ESG funding, which is distributed by formula to cities, counties, and states. Funding that is not allocated for the ESG formula is made available through a nationwide Continuum of Care competition. ESG provides homeless persons with basic shelter and essential supportive services. ESG also provides

short-term homeless prevention assistance to persons at imminent risk of losing their housing due to eviction, foreclosure, or utility shutoffs.

- **Surtax:** A state authorized local program that imposes the collection of a \$0.45 tax on every \$100 worth of commercial real estate transactions. Surtax funds are used to assist in the financing of construction, rehabilitation, or purchase of housing for low-income and moderate-income families.
- **SHIP:** A State program established by the William E. Sadowski Affordable Housing Act. Funds are allocated on a population-based formula. The Florida Housing Finance Corporation administers the SHIP, which provides funds to local governments as an incentive to create partnerships that produce and preserve affordable homeownership and multifamily housing. The program was designed to serve very low, low and moderate-income families.

BACKGROUND

US HUD requires that the County submit a Consolidated Plan every five years and an annual Action Plan to guide that respective year's implementation of the Consolidated Plan. The Action Plan must be filed with US HUD by November 15 of each year. The most recent Consolidated Plan was submitted to US HUD in November 2007.

In developing the annual Action Plan, the County develops the Policy Paper which serves as a blueprint for the Action Plan funding recommendations to the BCC. The Department of Housing and Community Development (DHCD) is the lead agency responsible for development of the Policy Paper and Action Plan. DHCD Staff continues to consult with municipalities, community development corporations (CDCs), community-based organizations (CBOs), neighborhood based citizen groups and other stakeholders as part of its continuing effort to meet the goals of the FY 2008 – 2012 Consolidated Plan and to finalize the Policy Paper being recommended for BCC approval. These stakeholder inputs have resulted in several new policy recommendations and changes to existing policies for FY 2012. The new or revised policies are being proposed based on feedback from the community and the latest US HUD Community Planning and Development (CPD) guidelines that strongly encourage the: 1) use of a local performance measurement system; 2) development of new management strategies, and 3) implementation of management by objectives.

As the BCC is aware, US HUD expects that Community Development supported by federal funding should include citizen and community participation. Within the County's entitlement jurisdiction, there are several CDBG eligible block groups (EBGs) otherwise known as census tracts, a significant number of which are geographically contiguous. In order to better focus attention on these clusters, the BCC established several Neighborhood Revitalization Strategy Areas (NRSAs), which are contiguous EBGs. The Chairpersons of the County's eight NRSAs have actively participated in the planning process and together made a total of 23 recommendations for consideration in the FY 2012 Policy Paper. The group subsequently agreed to only proffer 20 recommendations, of which eight have been incorporated into this Policy Paper, four will be implemented when the Action Plan is being developed, and three are currently part of normal County operations and program requirements. Attachment E to the Policy Paper is a list of all the final recommendations made by the NRSA Chairpersons presented for consideration.

The following new policies are proposed for FY 2012:

ECONOMIC DEVELOPMENT

Recommendation #1: Small businesses receiving CDBG assistance from Business Incubators will be encouraged to apply to become certified as a Miami-Dade County Green business.

This policy seeks to amend a previous policy approved under the FY 2010 Policy Paper regarding standard procedures for Business Incubators to include BCC-approved sustainability initiatives into all County activities. By amending the existing policy, all businesses receiving CDBG assistance from any County funded Business Incubator are now encouraged to apply to become certified as a Miami-Dade County Green business. However, failure to meet the criteria for certification as a Green business shall not

disqualify the business from receiving CDBG support. This strategy will allow small businesses to learn about and implement sustainable business practices in their day-to-day operations.

HOUSING

Recommendation #2: Increase the allocation of HOME funding for Tenant Based Rental Assistance

It is recommended that the County increase the set-aside of HOME funding for Tenant Based Rental Assistance (TBRA) in order to meet the increasing demand for rental assistance from households being negatively impacted by the current economic conditions. The County has, in the past, awarded HOME funds to local agencies to administer TBRA programs, primarily for the benefit of persons or families with incomes well below 50 percent of the area media income (AMI). While these agencies have worked diligently to serve special needs populations, including the homeless, senior citizens, and youth aging out of foster care, more needs to be done to address the problems currently faced by the County's families earning between 50 percent and 80 percent of the AMI. Below is a table showing Miami-Dade County's AMI thresholds by household size.

Miami-Dade County; U.S. HUD AMI Thresholds by Household Size

	1	2	3	4	5	6	7	8
	Person	Persons						
30% of AMI	14,800	16,900	19,000	21,100	22,800	24,500	26,200	27,900
50% of AMI	24,650	28,150	31,650	35,150	38,000	40,800	43,600	46,400
80% of AMI	39,400	45,000	50,650	56,250	60,750	65,250	69,750	74,250

The current economic environment has contributed to a significant increase in the number of households in Miami-Dade County having to spend in excess of 50 percent of their household income towards rent. This policy would increase the availability of TBRA to special needs populations with incomes at or below 50 percent of AMI and expands TBRA eligibility to households with incomes up to 80 percent of AMI, as permitted by the federal HOME regulations. TBRA reduces a household's out-of-pocket monthly rent burden to only 30 percent of the household's income.

TBRA funds will be used to provide short and medium-term tenant-based rental housing assistance to individuals and families who are homeless, at risk of becoming homeless, or threatened with economic displacement. The amount, level, and term of such assistance shall be based on a sliding scale determined by household income.

Recommendation #3: Provide short and medium-term tenant-based or project-based rental housing assistance under the ESG Program.

The Miami-Dade Homeless Trust (Trust), which oversees the continuum of supportive services to the County's homeless families, reports a dramatic increase in demand for short and medium term rental assistance. According to the Trust, during the past year demand for rental housing assistance has increased exponentially from an average of 100 calls per month to well over 1,000 monthly calls from either homeless families or households threatened with homelessness.

DHCD has typically received approximately \$750,000 annually in ESG funding, which it has earmarked for the continued operation of the Beckham Hall Emergency Shelter. However, given the increase in demand for short and medium term rental assistance, it is recommended that any ESG funding in excess of \$750,000 be set-aside to expand TBRA.

Recommendation #4: When applicable, based on the type of award, each activity recommended for funding must undergo and be contingent upon a feasibility determination and subsidy layering review/underwriting analysis to determine the final level of award, terms, and structure.

Prior to contract execution, the County, in determining whether and how much funding to award/allocate to a project and to evaluate whether the project can be successful, will require each activity recommended for funding be subject to a feasibility determination and underwriting analysis or other assessment. Given the limitations in funding and the need to meet US HUD's national or other local performance objectives, the County cannot invest more dollars than necessary in any project or program. A feasibility determination will identify the appropriate level of County funding and the appropriate funding structure. Additionally, all awards must be evidenced by a contract, memorandum of understanding, or inter-local/inter-department agreement, as well as any appropriate security instrument(s). This requirement may be waived upon review and determination by the Mayor or the Mayor's designee.

Recommendation #5: Funding to agencies which provide Homebuyer Counseling and Education services shall be limited to a geographic distribution.

It is recommended that the County limit funding to three Homebuyer Counseling agencies. The County will endeavor to select agencies to ensure geographic equity such that residents in the North, Central, and South shall have reasonable access to such services. This policy seeks to achieve greater efficiencies in the provision of these services and the expenditure of funds by eliminating the funding of multiple agencies that provide duplicative services in the same market areas.

OTHER PROPOSED POLICIES

Recommendation #6: The award of CDBG, HOME and ESG funding to activities located in other entitlement jurisdictions will be limited to projects and activities that have the demonstrated capacity to provide benefits to residents and communities within the boundaries of Miami-Dade County's entitlement jurisdiction.

As explained earlier, six municipalities within Miami-Dade County have their own federal entitlements from US HUD. US HUD regulations require that funding awards made by the County to activities conducted within the boundaries of another entitlement jurisdiction, must demonstrate "Metropolitan Significance". Examples of measures which are applied to assess "Metropolitan Significance" are: a) is the activity necessary to further the purposes of the Housing and Community Development Act of 1974; b) is the activity necessary to further the purposes of Miami-Dade County's community development objectives and c) will there be a reasonable benefit from the activity that will accrue to residents within Miami-Dade County's entitlement jurisdiction's boundaries.

Recommendation #7: All projects or activities identified as "countywide" must demonstrate measurable impact in all NRSAs and EBGs.

The County continues to promote funding of programs, projects, and activities that are intended to serve low and moderate income clientele (LMC) on a "countywide basis". However, in many cases CDBG funds are awarded to support countywide activities, but the impact and benefits of such activities are often not clearly evident in the County's NRSAs, EBGs and participating municipalities. To address this concern, each applicant wishing to undertake "countywide" activities must clearly develop an acceptable plan and performance measures outlining how the program will benefit residents within Miami-Dade County entitlement jurisdiction. That plan must identify the resources and capacity within the applicant's organization that are available to satisfy the stated objective of countywide performance.

Recommendation #8: Applicants shall be entitled to an appeal process to dispute their scores, application rankings, and final recommendations for funding.

DHCD will implement a formal RFA appeals procedure, to be completed prior to submission of the funding recommendations to the BCC. All applicants shall be entitled to a review of their score received as a result of the RFA process. The agency must make a formal written request to the DHCD within three business days of the publication of the agency's scores, ranking, and funding recommendation. To the extent issues are identified in the scoring of the application, where appropriate adjustments to the applicant's score and

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resultant ranking may be made. The County shall not address any request that has not been submitted in writing and received by the County within the three-day appeal period. Additionally, the appeals process shall not apply to subsequent recapture/reallocation activities.

Recommendation #9: All applicants that are in non-compliance with the requirements and conditions of their existing CDBG, HOME, NSP, SHIP, or Surtax contracts with Miami-Dade County shall be ineligible for funding.

All applicants with an existing DHCD contract that have either, 1) failed to demonstrate achievement of the National Objective, or appropriate performance measure under their existing CDBG, HOME, NSP and/or Section 108 loan agreements as well as SHIP and Surtax contractual requirements, or 2) are currently in a delinquent payment status with their existing County contracts/agreements shall be ineligible for funding under the FY 2012 RFA. Entities that are delinquent with their payments will be evaluated and assessed for new or continuing contracts as provided under Section 2-8.1(h)(ii) of the County Code. Future funding will require that the agency, in coordination with County staff, develop a successful work-out plan to address all issues for which the agency is non-compliant.

Recommendation #10: Environmental Review applications must be completed in their entirety and received within 30 days of contract award, or funding will be reassessed for recapture.

The purpose of an environmental review process is to foster implementation of environmentally compatible activities. In accordance with Federal regulations, Miami-Dade County cannot fund projects that will negatively impact communities or the environment. The environmental review process is initiated prior to, or during the contract development process. In accordance with 24 CFR Part 58: Miami-Dade County as a CDBG entitlement jurisdiction is responsible for environmental reviews, decision-making, and actions that would otherwise apply under the National Environmental Policy Act (NEPA).

All awardees must ensure completion of an environmental review prior to commencing project-related work. By undertaking the environmental review early in the process, recipients can avoid further delays in meeting project commencement timelines.

Recommendation #11: The County shall award bonus points for funding requests under the FY 2012 RFA that directly respond to, or seek to implement, projects, programs, and activities that directly respond to existing NRSA charrettes and community plans.

In recent years, several of the County's communities have created or are created charrettes and other community redevelopment plans that set forth specific projects, goals, and objectives for these target areas. The County shall award bonus points under the FY 2012 RFA to qualifying projects that directly respond to, or seek to implement, the development goals and objectives as identified and prioritized in such existing NRSA charrettes and/or community plans.

Recommendation #12: County Departments that will manage a project/program shall be required to make a presentation before the respective NRSA being impacted by the proposed County project/activity.

County departments receiving CDBG funds to implement projects, programs, and services in the NRSA shall be required to make a presentation to the respective NRSA being impacted by the proposed activity. This will enable local community residents to understand the proposed activity and to become familiar and more informed of the improvements or services being provided. This approach will also afford County departments the opportunity to obtain valuable, direct feedback from local residents regarding these activities.

All County departments awarded CDBG funding to implement such NRSA-related projects, programs, or activities shall also be required to provide semi-annual status reports and updates at subsequent NRSA CAC meetings.

Recommendation #13: All projects or activities awarded CDBG or HOME funds that have failed to complete the activity in a timely manner, shall be subject to recapture. This policy may be waived at the discretion of the administration.

US HUD has established commitment timelines, expenditure ratios and allocation percentages for CDBG and HOME funds. Failure to manage program awards within these guidelines may result in forfeiture of the funds, cancellation of some activities and the assessment of penalties, depending on which requirements were not met.

The County routinely reviews the status and progress of CDBG and HOME funded activities and reallocates funding from completed or stalled projects to projects that can comply with US HUD-mandated expenditure requirements and performance objectives. Projects will be prioritized for funding reallocations under the County's *Finish What We Started* policy previously adopted by the BCC.

This policy will also assist the County in meeting federal commitments and expenditure requirements in a more timely manner.

Recommendation #14: A Community Advisory Committee (CAC) may elect to prioritize single-family housing rehabilitation as one of its NRSA high priorities.

Prior year policies limited CAC allocations to economic development, capital improvements and infrastructure activities. This policy is being recommended in response to a request from the CACs, which will give the CACs increased flexibility in identifying the high priorities within the NRSA.

General Policy Guidelines:

Consistent with the policy established in prior years regarding applications through the RFA, the County will only consider activities that score 45 percent and above for funding. This policy was established based on the historical performance of agencies that were funded through the RFA. Typically, agencies that do not score above 45 percent are not capable of completing their projects. Funding to these agencies would often have to be recaptured and reprogrammed to other activities.

The CDBG funds can be used to fund administrative, economic development, public infrastructure/capital improvements, housing, and historic preservation activities. Consistent with the federal rules and regulations, 20 percent and up to 15 percent of the CDBG funds will be used for administrative and public service activities, respectively. Additionally, up to ten percent will be used to fund economic development activities. The remaining funds will be used fund public infrastructure, capital improvements and housing-related activities within EBGs and NRSAs. As approved by the BCC in 2011, it is recommended that a minimum of 20 percent of the CDBG funds be allocated to projects that will benefit the NRSAs. It is also recommended that the County Commissioners allocate their respective funds to any eligible activity that benefits residents of EBGs, inclusive of NRSAs.

In order to continue to expedite infrastructure and capital improvements and to effectively serve EBGs countywide, it is further recommended that a total of 40 percent of all the projects funded in the FY 2012 Action Plan, including public services activities, be allocated to projects managed and implemented by the County, exclusive of the 20 percent for administration.

ADDITIONAL INFORMATION

2010 Census Data

US HUD recently released data extracted from the 2010 Census to be used for establishing the census tracts that may be designated EBGs and where applicable, designated as Neighborhood Revitalization Strategy Areas. However, this data requires extensive analysis before the any geographical designations may be finalized. DHCD and Department of Planning and Zoning are analyzing the US HUD data. Once

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the analysis is complete, the information will be used to develop the 2012 RFA and subsequent allocations of CDBG, HOME and ESG funds.

FY 2013 through FY 2017 Consolidated Five-Year Plan

The proposed FY 2012 Policy Paper and Action Plan is the fifth year submission under the County's 2008 – 2012 Consolidated Plan. DHCD is procuring a consultant to prepare the new five-year Consolidated Plan which will guide the County's strategy for its community development and housing activities from 2013 through 2017. Staff intends to simplify the planning and decision-making process and to seek alternatives to maximize community impact by leveraging ongoing and planned community development activities within census tracts and surrounding areas, and to only fund activities that will have significant community impacts. Additionally, because community needs far outweigh the available funds, efforts will also be made to allocate fund to achieve broader community development goals, which will necessitate changes in funding strategies.

Attachment

Assistant County Manager



MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: July 7, 2011

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No.

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor

Agenda Item No.

Veto _____

Override _____

RESOLUTION NO. _____

RESOLUTION APPROVING THE POLICIES GOVERNING THE PLANNING PROCESS FOR AMENDMENTS TO THE FY 2008-2012 CONSOLIDATED PLAN THROUGH THE PREPARATION OF THE FY 2012 ACTION PLAN; APPROVING THE USE OF A REQUEST FOR APPLICATIONS PROCESS FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM, THE HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME), STATE HOUSING INITIATIVES PARTNERSHIP (SHIP), DOCUMENTARY STAMP SURTAX (SURTAX) AND THE EMERGENCY SOLUTIONS GRANT (FORMERLY KNOWN AS THE EMERGENCY SHELTER GRANT) (ESG) TO SOLICIT AGENCIES TO APPLY FOR FUNDING TO ADDRESS NEEDS ALREADY IDENTIFIED IN THE PLAN OR TO MEET NEEDS RESULTING FROM THE CITIZEN PARTICIPATION PROCESS

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board approves the policies governing amendments to the FY 2008-2012 Consolidated Plan including the FY 2012 Action Plan Planning Process for the Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), State Housing Initiatives Partnership (SHIP), and Emergency Solutions Grant programs (ESG); and approves the use of a Request for Application process to include the CDBG, HOME, SHIP, SURTAX and ESG Programs to solicit agencies to apply for funding to address needs to be identified in the Plan or to meet additional needs resulting from the Citizen Participation Process in substantially the form attached hereto and made a part hereof.

The foregoing resolution was offered by Commissioner
who moved its adoption. The motion was seconded by Commissioner
and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman	
Audrey M. Edmonson, Vice Chairwoman	
Bruno A. Barreiro	Lynda Bell
Esteban L. Bovo, Jr.	Jose "Pepe" Diaz
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Rebeca Sosa	Sen. Javier D. Souto
Xavier L. Suarez	

The Chairperson thereupon declared the resolution duly passed and adopted this 7th day of July, 2011. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

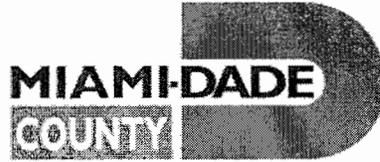
HARVEY RUVIN, CLERK

Approved by County Attorney as
to form and legal sufficiency.



Brenda Kuhns Neuman

By: _____
Deputy Clerk



Miami-Dade County

FY 2012 Consolidated Planning Process Policies

Department of Housing and Community Development

May _____, 2011

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FY 2012 CONSOLIDATED PLANNING PROCESS POLICIES

EXECUTIVE SUMMARY

It is recommended that the Board of County Commissioners (BCC) adopt the FY 2012 Consolidated Planning Process Policies (Policy Paper) with the policy changes described below. The changes are being proposed in response to input from the community and recommendations from the U.S. Department of Housing and Urban Development (US HUD). These policies will govern the implementation of Miami-Dade County's FY 2008 through FY 2012 Consolidated Plan through the development of the FY 2012 Request for Applications (RFA) process and the FY 2012 Action Plan. The intent of the policy changes is to ensure that all Federal funds are allocated in a timely manner and that the goals and objectives identified in the FY 2008-FY 2012 Consolidated Plan for Miami-Dade County's Neighborhood Revitalization Strategy Areas (NRSAs) and Eligible Block Groups (EBGs) are addressed.

The Policy Paper includes the funding criteria for the federal programs including, Community Development Block Grant (CDBG), the HOME Investment Partnerships (HOME), and the Emergency Solutions Grant (ESG) (formerly known as the Emergency Shelter Grant). It also includes information on two non-Federal programs including the Documentary Stamp Surtax (Surtax) and State Housing Initiatives Partnership (SHIP) programs.

US HUD requires the County to submit a Consolidated Plan every five years, with the most recent Plan submitted in November 2007. An annual Action Plan is also required in order to guide that respective year's implementation of the Consolidated Plan. The recommendations contained in the FY 2012 Policy Paper serve as a blueprint to facilitate the development of the FY 2012 Action Plan, which must be submitted to US HUD by November 15, 2011. The FY 2008-FY 2012 Consolidated Plan was developed in concert with the County's Strategic Plan. The County's strategic area mission statements, goals, and performance measures are in the following areas: Housing and Economic Development; Health and Human Services; Neighborhood and Unincorporated Area Municipal Services; Public Safety; Recreation and Culture; Transportation; and Enabling Strategies. The strategic plan section of the current FY 2008-FY 2012 Consolidated Plan contains numerous policy objectives including, but not limited to the following:

- Provide very low-, low- and moderate-income households access to decent and affordable housing;
- Expand economic opportunities to create and retain jobs through business development;
- Provide adequate Public Services;
- Promote access to Public Facilities/Capital Improvements (primarily senior services, for the disabled, youth, substance abuse services, employment training, and child care); and,
- Facilitate the timely expenditure of HOME, CDBG and ESG dollars to ensure that services are provided in eligible areas.

To maintain fairness and objectivity while ensuring the likelihood of project completion towards achievement of a US HUD national objective, it is recommended that the County utilize a RFA process for the various federal, state, and local programs. Consistent with the policy established in prior years, the County will maintain its threshold for funding only activities which score 45 percent and above. This policy was established based on the historical performance of agencies which have been funded through the RFA. County staff has noted that agencies which do not score above 45 percent typically do not have the capacity to complete their projects and consequently have a significant impact on the County's ability to meet its expenditure and other federal requirements, as these agencies' funds often have to be recaptured and reprogrammed to other activities. Additionally, priority must be given to agencies that support activities in the NRSAs and other eligible block groups.

The RFA will serve to identify agencies with the capacity to address the unmet needs as identified during the FY 2008-FY 2012 Consolidated Plan update, in the following categories:

- Economic Development;
- Public Services

- Housing; and
- Public Facilities/Capital Improvements.

The FY 2012 Consolidated Planning Process Policies (Policy Paper) contains the proposed policies for implementing the FY 2008-FY 2012 Consolidated Plan, the FY 2012 Action Plan, and the FY 2012 Request for Applications (RFA) process. Based on standards established by the U.S. Department of Housing and Urban Development (US HUD), the overall goals of the Consolidated Plan are to:

- Develop viable communities by providing decent housing;
- Provide a suitable living environment by improving the safety and livability of neighborhoods and implementing US HUD's Sustainable Community Initiative;¹ and
- Expand economic opportunities including job creation and retention.

The County continues to consult with other County departments, municipalities, community development corporations (CDCs), community-based organizations (CBOs) and neighborhood-based citizen groups as part of its continuing effort to meet the goals of the FY 2008 through FY 2012 Consolidated Plan. Active participation of all stakeholders is critical for the successful implementation of the Action Plan while ensuring that Federal requirements are met. The outcome of these consultations has yielded proposed new policy recommendations and changes to existing policies for the FY 2012 Consolidated Planning Process. These policies are being proposed based on feedback from the community and the latest Federal Community Planning and Development (CPD) guidelines that strongly encourage: 1) the use of a local performance measurement system, 2) the development of new management strategies and 3) the implementation of management by objectives.

The County would like to express a special thank you to the Community Advisory Committee (CAC) members who provided input related to the FY 2012 Policy Paper and for their continued dedication to their communities.

¹ U.S. HUD and U.S. Department of Transportation Sustainable Communities Initiative.
<http://www.hud.gov/news/release.cfm?content=pr09-023.cfm>

PART I: PROPOSED FY 2012 POLICY RECOMMENDATIONS

This year, the changes recommended in the FY 2012 Policy Paper are designed to better address the high priority needs identified in the FY 2008-FY 2012 Consolidated Plan.

The proposed policy recommendations delineated below will result in an increase in the quality of services, as well as an effective use of the funding awarded to the high poverty areas identified in the Consolidated Plan. The following new policies are proposed for FY 2012:

ECONOMIC DEVELOPMENT

Recommendation #1: *Small businesses receiving CDBG assistance from Business Incubators will be encouraged to apply to become certified as a Miami-Dade County Green business.*

This policy seeks to amend a previous policy approved under the FY 2010 Policy Paper regarding standard procedures for Business Incubators to include BCC-approved sustainability initiatives into all County activities. By amending the existing policy, all businesses receiving CDBG assistance from any County funded Business Incubator are now encouraged to apply to become certified as a Miami-Dade County Green business. However, failure to meet the criteria for certification as a Green business shall not disqualify the business from receiving CDBG support. This strategy will allow small businesses to learn about and implement sustainable business practices in their day-to-day operations.

HOUSING

Recommendation #2: *Increase the allocation of HOME funding for Tenant Based Rental Assistance*

It is recommended that the County increase the set-aside of HOME funding for Tenant Based Rental Assistance (TBRA) in order to meet the increasing demand for rental assistance from households being negatively impacted by current economic conditions. The County has, in the past, awarded HOME funds to local agencies to administer TBRA programs, primarily for the benefit of persons or families with incomes well below 50 percent of the area media income (AMI). While these agencies have worked diligently to serve special needs populations, including the homeless, senior citizens, and youth aging out of foster care, more needs to be done to address the problems currently faced by the County's families earning between 50 percent and 80 percent of the AMI. Below is a table showing Miami-Dade County's AMI thresholds by household size.

Miami-Dade County: U.S. HUD AMI Thresholds by Household Size

	1	2	3	4	5	6	7	8
	Person	Persons						
30% of AMI	14,800	16,900	19,000	21,100	22,800	24,500	26,200	27,900
50% of AMI	24,650	28,150	31,650	35,150	38,000	40,800	43,600	46,400
80% of AMI	39,400	45,000	50,650	56,250	60,750	65,250	69,750	74,250

The current economic environment has contributed to a significant increase in the number of households in Miami-Dade County having to spend in excess of 50 percent of their household income towards rent. This policy would increase the availability of TBRA to special needs populations with incomes at or below 50 percent of AMI and expands TBRA eligibility to households with incomes up to 80 percent of AMI, as permitted by the federal HOME regulations. TBRA reduces a household's out-of-pocket monthly rent burden to only 30 percent of the household's income.

TBRA funds will be used to provide short and medium-term tenant-based rental housing assistance to individuals and families who are homeless, at risk of becoming homeless, or threatened with economic displacement. The amount, level, and term of such assistance shall be based on a sliding scale determined by household income.

Recommendation #3: *Provide short- and medium-term tenant-based or project-based rental housing assistance under the ESG Program.*

The Miami-Dade Homeless Trust (Trust), which oversees the continuum of supportive services to the County's homeless families, reports a dramatic increase in demand for short and medium term rental assistance. According to the Trust, during the past year demand for rental housing assistance has increased exponentially from an average of 100 calls per month to well over 1,000 monthly calls from either homeless families or households threatened with homelessness.

DHCD has typically received approximately \$750,000 annually in ESG funding, which it has earmarked for the continued operation of the Beckham Hall Emergency Shelter. However, given the increase in demand for short and medium term rental assistance, it is recommended that any ESG funding in excess of \$750,000 be set-aside to expand TBRA for families in need.

Recommendation #4: *When applicable, based on the type of award, each activity recommended for funding must undergo and be contingent upon a feasibility determination and subsidy layering review/underwriting analysis to determine the final level of award, terms, and structure.*

Prior to contract execution, the County, in determining whether and how much funding to award /allocate to a project and to evaluate whether the project can be successful, will require each activity recommended for funding be subject to a feasibility determination and underwriting analysis. Given the limitations in funding and the need to meet US HUD's national or other local performance objectives, the County cannot invest more dollars than necessary in any project or program. A feasibility determination will identify the appropriate level of County funding and the appropriate funding structure. Additionally, all awards must be evidenced by a contract, memorandum of understanding, or inter-local/inter-department agreement, as well as appropriate security instrument(s) where applicable. This requirement may be waived upon review and determination by the Mayor or the Mayor's designee.

Recommendation #5: *Funding to agencies which provide Homebuyer Counseling and Education services shall be limited to a geographic distribution.*

It is recommended that the County limit funding to three Homebuyer Counseling agencies. The County will endeavor to distribute these funds in a geographically equitable manner such that residents in the North, Central, and South shall have reasonable access to such services. This policy seeks to achieve greater efficiencies in the provision of these services and the expenditure of funds by eliminating the funding of multiple agencies that provide duplicative services in the same market areas.

OTHER PROPOSED POLICIES

Recommendation #6: *The award of CDBG, HOME and ESG funding to activities located in other entitlement jurisdictions will be limited to projects and activities that have the demonstrated capacity to provide benefits to residents and communities within the boundaries of Miami-Dade County's entitlement jurisdiction.*

As explained earlier, six municipalities within Miami-Dade County have their own federal entitlements from US HUD. These municipalities are referred to as entitlement jurisdictions. US HUD regulations require that funding awards made by the County to activities conducted within the boundaries of another entitlement jurisdiction, must demonstrate "Metropolitan Significance". Examples of measures which are applied to assess "Metropolitan Significance" are: a) is the activity necessary to further the purposes of the Housing and Community Development Act of 1974; b) is the activity necessary to further the purposes of Miami-Dade County's community development objectives and c) will there be a reasonable benefit from the activity that will accrue to residents within Miami-Dade County's entitlement jurisdiction's boundaries.

Recommendation #7: *All projects or activities identified as “countywide” must demonstrate measurable impact in all NRSAs and EBGs.*

The County continues to promote funding of programs, projects, and activities that are intended to serve low and moderate income clientele (LMC) on a “countywide basis”. However, in many cases CDBG funds are awarded to support countywide activities, but the impact and benefits of such activities are often not clearly evident in the County’s NRSAs, EBGs and participating municipalities. To address this concern, each applicant wishing to undertake countywide activities, must clearly develop an acceptable plan and performance measures outlining how the program will benefit residents within Miami-Dade County entitlement jurisdiction. That plan must identify the resources and capacity within the applicant’s organization that are available to satisfy the stated objective of countywide performance.

Recommendation #8: *Applicants shall be entitled to an appeal process to dispute their scores, application rankings, and final recommendations for funding.*

DHCD will implement a formal RFA appeals procedure, which must be completed prior to submission of the funding recommendations to the BCC. All applicants shall be entitled to a review of their score received as a result of the RFA. The agency must make a formal written request to the DHCD within three business days of the publication of the agency’s scores, ranking, and funding recommendation. To the extent issues are identified in the scoring of the application, the appropriate adjustments to the applicant’s score and ranking may be made at that time, prior to final BCC approval. The County shall not address any request that has not been submitted in writing and received by the County within the three-day appeal period. Additionally, the appeals process shall not apply to subsequent recapture/reallocation activities.

Recommendation #9: *All applicants that are in non-compliance with the requirements and conditions of their existing CDBG, HOME, NSP, SHIP, or Surtax contracts with Miami-Dade County shall be ineligible for funding.*

All applicants with an existing DHCD contract that have either: 1) failed to demonstrate achievement of the National Objective, or appropriate performance measure under their existing CDBG, HOME, NSP and/or Section 108 loan agreements as well as SHIP and Surtax contractual requirements, or 2) are currently in a delinquent payment status with their existing County contracts/agreements shall be ineligible for funding under the 2012 RFA. Entities that are delinquent will be evaluated and assessed for new or continuing contracts as provided under Section 2-8.1(h)(ii) of the County Code. Future funding will require that the agency, in coordination with County staff, develop a successful work-out plan to address all issues for which the agency is non-compliant.

Recommendation #10: *Environmental Review applications must be completed in their entirety and received within 30 days of contract award, or funding will be reassessed for recapture.*

The purpose of an environmental review process is to foster implementation of environmentally compatible activities. In accordance with Federal regulations, Miami-Dade County cannot fund projects that will negatively impact communities or the environment. The environmental review process is initiated prior to, or during the contract development process. In accordance with 24 CFR Part 58: Miami-Dade County as a CDBG entitlement jurisdiction is responsible for environmental reviews, decision-making, and actions that would otherwise apply under the National Environmental Policy Act (NEPA). All awardees must ensure completion of an environmental review prior to commencing project-related work. By undertaking the environmental review early in the process, recipients can avoid further delays in meeting project commencement timelines.

Recommendation #11: *The County shall award bonus points for funding requests under the FY 2012 RFA that directly respond to, or seek to implement, projects, programs, and activities that directly respond to existing NRSA charrettes and community plans.*

In recent years, several of the County’s communities have created or are creating charrettes and other community redevelopment plans that set forth specific projects, goals, and objectives for these target areas. The County shall award bonus points under the FY 2012 RFA to qualifying projects that directly respond to,

or seek to implement, the development goals and objectives as identified and prioritized in such existing NRSA charrettes and/or community plans.

Recommendation #12: *County Departments that will manage a project/program shall be required to make a presentation before the respective NRSA being impacted by the proposed County project/activity.*

County departments receiving CDBG funds to implement projects, programs, and services in the NRSA shall be required to make a presentation to the respective NRSA being impacted by the proposed activity. This will enable local community residents to understand the proposed activity and to become familiar and more informed of the improvement or services being provided. This approach will also afford County departments the opportunity to obtain valuable, direct feedback from local residents.

All County departments awarded CDBG funding to implement such NRSA-related projects, programs, or activities shall also be required to provide semi-annual status reports and updates at subsequent NRSA CAC meetings.

Recommendation #13: *All projects or activities awarded CDBG or HOME funds that have failed to complete the activity in a timely manner, shall be subject to recapture. This policy may be waived at the discretion of the administration.*

The County routinely reviews the status and progress of CDBG and HOME funded activities and reallocates funding from completed or stalled projects to shovel ready projects that can comply with US HUD-mandated expenditure requirements and performance objectives. Projects will be prioritized for funding reallocations under the County's existing *Finish What We Started* policy previously adopted by the BCC.

US HUD has established commitment timelines, expenditure ratios and allocation percentages for CDBG and HOME funds. Failure to manage program awards within these guidelines may result in forfeiture of the funds, cancellation of some activities and the assessment of penalties, depending on which of the requirements were not met by the grantee.

This policy will also assist the County in meeting federal commitments and expenditure requirements in a timely manner.

Recommendation #14: *A Community Advisory Committee may elect to prioritize single-family housing rehabilitation as one of its NRSA high priorities.*

Prior year policies limited CAC allocations to economic development, capital improvements and infrastructure activities. This policy is being recommended in response to a request from the CACs, which will give the CACs increased flexibility in the identification of their high priorities within the NRSA.

PART II: BACKGROUND

US HUD requires the County to submit a Consolidated Plan every five years and an annual Action Plan each calendar year. The current Consolidated Plan covers the five-year period from January 1, 2008, through December 31, 2012. The Consolidated Plan includes a Housing and Homeless needs assessment, a Housing market analysis, a five-year Strategic Plan for Neighborhood Revitalization Strategy Areas (NRSAs), an annual Action Plan, US HUD Certifications, and Monitoring standards and procedures. This policy paper includes the FY 2012 Action Plan priorities and funding criteria for the following programs:

- Community Development Block Grant (CDBG)
- HOME Investment Partnerships (HOME)
- Emergency Solutions Grant (ESG)
- Documentary Stamp Surtax (Surtax)
- State Housing Initiatives Partnership Program (SHIP)

Surtax and SHIP funds are included in this Policy Paper, as this approach offers an opportunity to conduct a single RFA process for all federal, state, and local funds.

To meet the intent and spirit of Federal requirements, staff will continue to consult with relevant County departments, municipalities, community development corporations (CDCs), community-based organizations (CBOs) and neighborhood-based citizen participation groups as part of the County's efforts to fulfill its mission. Active participation of all stakeholders facilitates successful implementation of the Action Plan.

A. FEDERAL FUNDING PROGRAMS

1. Community Development Block Grant (CDBG)

The County's CDBG Program allocates block grant funds from US HUD to private not-for-profit community based development organizations, community development corporations, community-based organizations, for-profit businesses, municipalities and County departments, for activities that benefit low- and moderate-income areas or low- and moderate-income persons. Low and moderate income areas are defined as areas in which at least 51 percent of residents earn below 80 percent of the County's median income. For reference, below is a table reflecting Area Median Income (AMI) in Miami-Dade County by family size.

Miami-Dade County: U.S. HUD 2010 30%, 50% and 80% of AMI Income Thresholds by Household Size

	1 Person	2 Persons	3 Persons	4 Persons	5 Persons	6 Persons	7 Persons	8 Persons
30% of AMI	14,800	16,900	19,000	21,100	22,800	24,500	26,200	27,900
50% of AMI	24,650	28,150	31,650	35,150	38,000	40,800	43,600	46,400
80% of AMI	39,400	45,000	50,650	56,250	60,750	65,250	69,750	74,250

2. HOME Investment Partnerships (HOME)

The HOME Program is designed to:

- Expand the supply of decent and affordable housing, particularly rental housing, for low and very low income.
- Strengthen the ability of state and local governments to design and implement strategies for achieving adequate supplies of decent, affordable housing.
- Provide both financial and technical assistance to participating jurisdictions (entitlement areas) including the development of model programs of affordable housing for very low- and low-income families.
- Expand and strengthen partnerships among all levels of government and the private sector, including for-profit and not-for-profit organizations, in the production and operation of affordable housing.

Due to the current housing market conditions, no funding will be awarded for the construction of new homeownership units in FY 2012. This includes funding for the CHDO set-aside projects. Instead, the

County will provide additional technical assistance to assist CHDOs to complete and close out existing homeownership projects currently underway.

Per US HUD regulatory requirements, HOME program funds must be committed in two years and spent within five years. Effective January 1, 2011, US HUD will automatically cancel all HOME commitments over one year old that fail to incur any expenditure within one year of funding commitment.

3. Emergency Solutions Grant (formerly known as the Emergency Shelter Grant) (ESG)

The ESG funding allocated to Miami-Dade County is used to administer the Beckham Hall facility, a temporary shelter for homeless individuals. The County may enter into a longer contract term in order to maintain continuation of services contingent on funding and renewal of the facility's lease with the City of Miami. ESG funding will be awarded as part of the FY 2012 RFA competitive process.

It is recommended that the County enters into multi-year contracts (two to three years) for the provision of Emergency Solutions Grant (ESG) program funds to support the Beckham Hall facility, contingent on funding availability, acceptable lease terms with the City of Miami, and appropriate contract language which addresses a satisfactory performance-based contract. This policy was recommended in 2010 and the RFP for the contract awarded to operate Beckham Hall included this multi-year contract language. Staff is recommending exercising the option to renew under the current contract with Camillus House. This is contingent upon funding from HUD and a performance review of the project.

The ESG program is intended to:

- Reduce hardships on homeless persons through the provision of emergency shelter.
- Provide, or arrange for the provision of, essential support services to homeless persons in the shelter, including food, clothing, personal care items, and medical care. The program also provides alcohol and drug abuse and mental health treatment, counseling and assistance in obtaining government benefits, employment assistance and permanent housing.

FEDERAL EXPENDITURE LIMITS AND REQUIREMENTS

In developing the Policy Paper and Action Plan, the programs will adhere to the expenditure limits imposed by the funding agencies. US HUD has established requirements for the commitment, expenditure and allocation of federal awards to its grantees. Failure to manage program awards within these guidelines can result in forfeiture of funds, cancellation of some activities and the assessment of penalties. By example, one of US HUD's requirements is that 60 days prior to the end of the County's Plan year, the County may not have more than 1.5 times its annual allocation in its line of credit with HUD. Failure to meet this requirement will result in the County forfeiting the difference between its actual balance in US HUD's Integrated Disbursement Information System (IDIS) and the value of 1.5 times the allocation for the given Plan year. Also, US HUD will cancel funding for HOME activities that do not have any funds disbursed within 12 months.

Table 2 shows the expenditure limits and funding requirements for the federal, state, and local funding sources included in this Policy Paper.

Requirement	CDBG (federal)	HOME (federal)	ESG (federal)	Surtax (Local)	SHIP (State)
Administrative Cap	20%	10%	None	10%	10%
Public Service	15%	N/A	N/A	N/A	N/A
Required Local Match	NONE	25%	100%	N/A	N/A
Leveraging	Demonstrate leveraging of non-federal funds	Demonstrate leveraging of non-federal funds	Demonstrate leveraging of non-federal funds	No requirement. Strongly recommended	No requirement. Strongly recommended
CHDO Set-Aside*	N/A	15%*	N/A	N/A	N/A
Commitment Deadline	Reserves cannot be established or maintained	2 years	None	None	2 years
Expenditure Deadline	8 years	5 years	None	N/A	3 years
Rental	N/A	N/A	N/A	Minimum of 35%	N/A
Homeownership	N/A	N/A	N/A	Minimum of 35%	N/A

Note: *15 percent of HOME funds must be set-aside for a HOME Community Housing Development Organization (CHDO). A CHDO is a private nonprofit organization that provides decent housing that is affordable to low- and moderate income persons, among other things, as evidenced in the CHDO's charter, articles of incorporation, resolutions, or by-laws. A CHDO may apply for funding in the capacity of a Developer, Owner, or Sponsor, but only CHDOs may apply for a HUD mandated set-aside percentage of local HOME funds.

B. NON-FEDERAL FUNDING PROGRAMS

1. State Housing Initiatives Partnership Program (SHIP)

The legislative intent of the SHIP Program is "...to allow local government the greatest degree of flexibility in meeting its community's housing needs". As required, Miami-Dade County has adopted both Ordinance 95-70 and Resolution R-517-95 that establish the programmatic requirements and criteria for utilizing SHIP funds. In accordance with program requirements, SHIP funds must be used to implement the approved Local Housing Assistance Plan (LHAP). The program must benefit eligible persons occupying eligible housing. Generally, SHIP funds may be used:

- For locally designated strategies that create or preserve affordable housing.
- To supplement other housing programs.
- To provide local match to obtain Federal housing grants or programs (such as HOME).
- To finance both homeownership and rental housing activities. However, at least 65 percent of SHIP funds must be used for homeownership activities.
- for construction, rehabilitation, or emergency repair (a minimum of 75 percent of the annual grant must be used).

For FY 2012, the County anticipates that no new SHIP funds will be available from the State. The County will continue to use SHIP program income to support Homebuyer Education and Counseling programs currently being administered through not-for-profit agencies throughout the County.

2. Documentary Stamp Surtax Program (Surtax)

The Documentary Stamp Surtax Program is a discretionary Surtax on recorded commercial property sales. The funds generated from this revenue source can be used for housing programs. Specifically, the provisions of Florida Statute (F.S.) 125.0167 require that a minimum of 50 percent of the funds benefit low-income families (those with incomes at or below 80 percent of the AMI). Furthermore, the Surtax program, a "low-income family" is defined as a family whose income does not exceed 80 percent of the AMI, and a "moderate-income family" is a family whose income is in excess of 80 percent but less than 140 percent of the AMI.

PART III: CITIZEN PARTICIPATION

On December 15, 2009, the Board of County Commissioners (BCC) approved the revised Citizen Participation Plan, Guidelines for the Miami-Dade County Department of Housing and Community Development, and the Miami-Dade Community Action Agency (CP Plan) through Resolution *R-1428-09* (Attachment C). The CP Plan was updated to ensure compliance with US HUD's Consolidated Planning requirements.

The County's citizen participation process for adoption of the Consolidated Plan and substantial amendments to the Consolidated Plan is an ongoing, year-round process and requires two public hearings before the BCC's Economic Development and Social Services (EDSS) Committee (formerly the Housing and Community Development, or HCD, Committee). The purpose of the first public hearing is to consider the Policy Paper. As explained previously, this document guides the RFA process and establishes the basic policies for funding eligible activities. The purpose of the second public hearing is to adopt the Consolidated Plan and its funding recommendations. A public hearing is also required for substantial amendments to the Consolidated Plan. Prior to each public hearing, the public is given a 30-day comment period to review the proposed documents. Below is the expected public hearing schedule for the FY 2012 Action Plan process:

- First Public Hearing: **June 15, 2011** (to Consider the FY 2012 Policy Paper)
- Second Public Hearing: **October 26, 2011** (to Consider the FY 2012 Action Plan)

In addition to the two public hearings, the CP Plan calls for quarterly community meetings with the Community Advisory Committees (CACs). The CACs are the entities that represent each of the eight NRSAs identified in the Consolidated Plan. These meetings allow residents to provide feedback on the implementation of the Consolidated Plan, as well as annual funding priorities and the RFA process. Agencies with currently funded activities are required to provide periodic updates of activities to the CACs. These presentations are designed to provide citizens with an opportunity to receive information on proposed and ongoing projects. Through this citizen participation process, staff relies upon County residents to:

- **Identify** both neighborhood and community needs;
- **Prioritize** those needs; and
- **Recommend** activities that address priority needs based upon consultation with stakeholders.

DHCD will increase the number of NRSA meetings from quarterly to bi-monthly. The complete CP Plan is included as Attachment B to this Policy Paper.

PART IV: FUNDING AND PROJECTED ALLOCATIONS

ACTION PLAN FUNDING ALLOCATIONS

The following table lists the FY 2011 funding sources and types that were included in the FY 2011 Action Plan. Projected allocations for 2012 for each program are also provided. (These projected numbers are estimates based on current allocations and are subject to change.

FY 2011 – FY 2012 TOTAL ESTIMATED FUNDING ALLOCATION BY FUNDING SOURCE*

Funding Source	Type	FY 2011 Actual Funding*	FY 2012 Estimated Funding*
Community Development Block Grant (CDBG)	Federal	\$14,330,400	\$13,613,880
Emergency Solutions Grant (ESG)	Federal	750,000	750,000
Home Investment Partnerships (HOME)	Federal	6,679,000	6,345,050
State Housing Initiatives Partnership (SHIP)	State	500,000	500,000
Documentary Surtax Program (Surtax)	County	Not Included	11,900,000
TOTAL ALL SOURCES		\$22,259,400	\$33,108,930

*Funding does not include program income

DHCD reserves the right to substitute all or part of any set aside project funding, as appropriate for the funded activity. US HUD HOME funding requires a local match of 25%. Although this match is expected to be covered through the utilization of non-federal funds such as Surtax and SHIP, any housing project located in an entitlement area must demonstrate a match from the entitlement where the project is located.

FY 2012 ESTIMATED HOME FUNDING ALLOCATION

Funding Category	FY 2012 Estimated Funding	FY 2012 Percentage
Program Administration	\$ 634,505	10.0%
CHDO Operating Support	317,253	5.0%
CHDO Set-Aside	951,757	15.0%
Rental Housing	1,110,385	17.5%
Elderly/Homeowner Rehabilitation	1,427,636	22.5%
Homeless Housing	951,757	15.0%
Tenant Based Rental Assistance (TBRA)	951,757	15.0%
TOTAL	\$6,345,050	100.0%

FY 2012 ESTIMATED CDBG FUNDING ALLOCATION

The CDBG funds can be used to fund administrative, economic development, public infrastructure/capital improvements, housing, and historic preservation activities. Consistent with the federal rules and regulations, 20 percent and up to 15 percent of the CDBG funds will be used for administrative and public

service activities, respectively. Additionally, up to ten percent will be used to fund economic development activities. The remaining funds will be used fund public infrastructure, capital improvements and housing-related activities within EBGs and NRSAs. As approved by the BCC in 2011, it is recommended that a minimum of 20 percent of the CDBG funds be allocated to projects that will benefit the NRSAs. It is also recommended that the County Commissioners allocate their respective funds to any eligible activity that benefits residents of EBGs, inclusive of NRSAs.

In order to continue to expedite infrastructure and capital improvements and to effectively serve EBGs countywide, it is further recommended that a total of 40 percent of all the projects funded in the FY 2012 Action Plan, including public services activities, be allocated to projects managed and implemented by the County, exclusive of the 20 percent for administration.

PART V: TIMELINE FOR FY 2012 CONSOLIDATED PLANNING ACTIVITIES

April 2011
<ul style="list-style-type: none"> • Meeting with Community Advisory Committees (CACs) Executive Committees from 8 NRSAs to receive recommendations for the FY 2012 Policies
May 2011
<ul style="list-style-type: none"> • Policy Committee meets with County Executive Office to finalize 2012 Policies. • Policy Paper to ACM • Distribute Policy Paper to: <ul style="list-style-type: none"> • Community Advisory Committees (for 8 NRSAs) • Community Action Agency; Homeless Trust • Regional Libraries • Begin development of FY 2012 RFA Application Booklet • Newspaper Ad begins 30-day comment period on FY 2012 Policy Paper
June 2011
<ul style="list-style-type: none"> • Economic Development and Social Services Committee (Public Hearing on Policy Paper) • Technical Assistance Workshops (throughout the month) • Draft RFA Booklets sent to County Attorney's Office • Letters to Community Advisory Committees' and currently funded agencies informing them of the upcoming RFA • FY 2012 RFA Evaluation Committee list goes to County Manager for approval
July 2011
<ul style="list-style-type: none"> • Board of County Commissioners considers FY 2012 Policy Paper. • Release of RFA • Evaluation Committee Training.
August 2011
<ul style="list-style-type: none"> • FY 2012 RFA applications due • Department of Housing and Community Development staff conducts due diligence • RFA applications boxed for Evaluation Committee • Applications requiring County Attorney Office (CAO) ruling sent to CAO • RFA Applications to Evaluation Committee, Homeless Trust, and Urban Economic Revitalization Task Force • Evaluation Committee meets to review applications and scores
September 2011
<ul style="list-style-type: none"> • FY 2012 Action Plan to County Executive Office (for October 26, 2012 EDSS Committee)
October 2011
<ul style="list-style-type: none"> • Newspaper Ad begins 30-day comment period on FY 2012 Action Plan • Public Hearing on FY 2012 Action Plan before Economic Development and Social Services Committee
November 2011
<ul style="list-style-type: none"> • BCC Hearing on FY 2012 Action Plan • Submission of FY 2012 Action Plan to US HUD <ul style="list-style-type: none"> ▪ Funding award letters to agencies ▪ Contract Development Workshops ▪ Project Managers begin contract development

ATTACHMENT A Glossary

Action Plan: The United States Department of Housing and Urban Development (US HUD) requires that Miami-Dade County submit an annual Action Plan for each of the calendar years in the County's five-year Consolidated Plan. The annual Action Plan describes the Federal and Non-Federal resources expected to be available to address the priority needs and goals identified in the Consolidated Plan, the activities to be undertaken, and the geographic areas to be assisted.

Business Incubators: Business incubators are programs designed to accelerate the successful development of entrepreneurial companies through an array of business support resources and services offered both in the incubator and through its network of contacts.

Community Advisory Committee (CAC): The CACs represent Miami-Dade County's Neighborhood Revitalization Strategy Areas (NRSAs). CAC members serve in an advisory capacity and provide recommendations to Administration on the development and implementation of neighborhood plans and projects.

Community Development Block Grant (CDBG): A federal formula grant entitlement program administered by U.S. Department of Housing and Urban Development (US HUD). The CDBG program is intended to help develop viable communities by providing decent housing, a suitable living environment, and opportunities to expand economic opportunities, principally for low- and moderate-income persons.

Community Housing Development Organization (CHDO): A federally defined type of not-for-profit housing provider that is certified to meet certain HOME Program requirements in order to be eligible for HOME CHDO funding. A minimum of 15 percent of all Federal HOME funds must be set-aside for CHDOs. The primary difference between CHDO and other not-for-profits is the level of low-income resident participation on the Board of Directors.

Community Development Corporation (CDC): Community-based organizations that are committed to enhancing community well-being and facilitating revitalization through economic development, housing and other services.

Citizen Participation (CP) Plan: A plan that describes and documents the efforts that will be undertaken to provide for and encourage citizens to participate in the development of the Consolidated Plan, any substantial amendments to the Consolidated Plan, and the performance report.

Consolidated Plan – Miami-Dade County is required to submit a Consolidated Plan to US HUD in accordance with the Consolidated Submissions for Community Planning and Development programs (24 CFR 91). The County's five-year Consolidated Plan describes the community development, economic development and housing needs of low-and-moderate-income residents, outlines strategies to meet those needs and identifies all Federal and Non-Federal resources available to implement the strategies.

Consolidated Planning Process Policies (Policy Paper): This document contains the policies for implementing the Consolidated Plan.

Green Jobs: Employment generating activities that result in significant gains in energy efficiency or use of alternative energy sources recognized as leading to net reductions in carbon emissions. Such activities include weatherization; manufacturing, sales distribution, marketing, installation and repair of solar energy systems of high efficiency appliances; construction and/or design of energy efficient structures; design, manufacture and servicing of electric, hybrid or biodiesel vehicles; and recycling of discarded materials.

Eligible Block Groups (EBGs): Census block groups where at least 51 percent of the households have incomes at or below 80 percent of the County's area median income and where there is a high concentration of poverty and unemployment. The boundaries of CDBG eligible block groups are based on

the results of the most recent U.S. Census. A census block group (BG) is the smallest geographical unit for which the U.S. Census Bureau publishes sample data.

Environment Review: 24 CFR Part 58: Environmental Review Procedures for Entities receiving CDBG and HOME funds. U.S. HUD Environmental Responsibilities is used by local governments to determine program compliance with the National Environmental Policy Act (NEPA) and other related statutes.

Emergency Solutions Grant (ESG): A Federal grant program formally known as the Emergency Shelter Grant is designed to provide adequate shelter and essential social services to homeless individuals and to help prevent homelessness.

Florida Homebuyer Opportunity Program (FL HOP): FL HOP was created in 2009 and is administered through the State Housing Initiatives Partnership (SHIP) program. The program provides financial assistance to first time homebuyers eligible to receive the Federal first time homebuyer tax credit established through the American Recovery and Reinvestment Act of 2009. Eligible FL HOP applicants can receive up to \$8,000 in purchase assistance, which is expected to be repaid by the applicant upon receipt of the Federal tax refund.

Funding GAP - Financing that is required, but for which no provision has been made. The difference in total funding needed for a proposal and the amount of funding already made available.

HOME Investment Partnerships Program (HOME): A Federal formula grant program intended to expand the supply of decent, affordable housing for low and very low- income families by through the provision of affordable housing.

Job Creation: Jobs created as a result of Federal funds provided to a CDBG eligible activity benefiting low- and moderate-income persons.

Leverage: The use of funds to complete a transaction. The use of various financial instruments or borrowed capital, such as margin, to increase the potential return of an investment. The amount of debt used to finance firm's assets.

Metropolitan Significance: "*Metropolitan Significance*" is defined as: a) the activity necessary to further the purposes of the Housing and Community Development Act of 1974; b) the activity necessary to further the purposes of Miami-Dade County's community development objectives and c) the activity which will be a reasonable benefit to residents within Miami-Dade County's entitlement jurisdiction's boundaries..

Neighborhood Revitalization Strategic Area (NRSA): Designated areas which have been targeted for revitalization and which are eligible for Federal funding under the U.S. HUD Community Development Block Grant program. There are eight NRSA's in Miami-Dade County: 1) Opa-locka; 2) Model City; 3) West Little River; 4) Melrose; 5) South Miami; 6) Perrine 7) Leisure City/Naranja; and 8) Goulds. Areas designated as NRSA's must have contiguous boundaries, must be primarily residential, and must have a population with at least 70 percent of the persons considered low- and moderate-income.

Recapture/Reallocation (otherwise known as a Plan Amendment): The process of recapturing CDBG, HOME and/or other funding sources from non-viable activities and reallocating that funding to activities/projects that can meet the national objective. This process is conducted through an amendment to the annual Action Plan (Plan Amendment) and is a necessary step in ensuring timeliness in expenditure of various funding sources.

Retainage: In a construction contract, retainage is the withholding of a portion of each payment earned by a contractor or subcontractor until the construction project is complete (usually 10 percent is withheld from each payment request).

Request for Applications (RFA): Each year, the Department of Housing and Community Development conducts a consolidated RFA for CDBG, HOME, and ESG and other funding sources. Through this process, private not-for-profit community-based organizations (CBOs), community development

corporations (CDCs), private-for-profit developers and public agencies are able apply for funds to address the affordable housing, public facilities and infrastructure improvements, and economic development needs addressed in the Consolidated Plan.

State Housing Initiatives Program (SHIP): This State of Florida funding program is intended to help develop and maintain affordable housing and requires the implementation of a Local Housing Assistance Plan.

Documentary Surtax Program (Surtax): A discretionary Surtax on recorded commercial property sales. The funds are used for a wide-range of housing programs, including the financing of construction, rehabilitation, or purchase of housing for low-income and moderate-income families.

Sustainability: The ability to maintain a viable community while also preserving and protecting vital natural resources. The intent is to achieve a balance between economic prosperity, social well-being and environmental health.

Tenant Based Rental Assistance (TBRA): This is a HOME program which assists low- and very low-income families in obtaining decent, safe, and sanitary housing in private accommodations by providing a rental subsidy which covers a portion of their rental expenses.

ATTACHMENT B

CITIZEN PARTICIPATION PLAN

**(The Citizen Participation Plan is included as Attachment B)
Adopted by the Board of County Commissioners through
Resolution #R-1428-09 on December 15, 2009**

OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

Memorandum



Date: December 15, 2009

To: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

From: George M. Burgess
County Manager 

Subject: Resolution Approving the Revised Citizen Participation Plan and Guidelines for Miami-Dade County's Department of Housing and Community Development and Community Action Agency

Agenda Item No. 8(K)(1)(A)

Resolution No. R-1428-09

RECOMMENDATION

Pursuant with Section 24 of the Code of Federal Regulations (CFR), Part 91.105, it is recommended that the Board of County Commissioners (BCC) approve and adopt the latest revision to the *Citizen Participation Plan for the Consolidated Planning Process and Citizen Participation Guidelines for the Department of Housing and Community Development (DHCD) and Miami-Dade County Community Action Agency (CAA)* ("CP Plan"). The document must be submitted to the US Department of Housing and Urban Development (US HUD) before January 1, 2010.

SCOPE

The CP Plan provides countywide policies and procedures for residents to participate in the planning and development of the Miami-Dade County Consolidated Plan, which is also countywide, and its related documents.

The CP Plan also establishes the rules and guidelines for Community Advisory Committees (CACs). The CACs are intended to give the residents of Miami-Dade County's low-income Target Areas and Neighborhood Revitalization Strategy Areas (NRSAs) a mechanism for participating in issues that affect their communities. There are 20 CACs in the County, and they are located within Commission Districts 1, 2, 3, 5, 7, 9, and 13. For a complete list of the Target Areas and NRSAs, please see Exhibit 1.

FISCAL IMPACT/FUNDING SOURCE

The proposed revisions to the CP Plan do not cause a fiscal impact to the program.

TRACK RECORD/MONITOR

Since this item is not a contract, traditional monitoring or tracking is not applicable. However, staff from CAA and DHCD carry out the duties as required under the citizen participation activities. This includes staffing, presenting, and recording minutes at the regular CAC meetings.

BACKGROUND

The CP Plan was originally approved by the BCC on July 7, 1981 and has been amended five times since the original approval date as follows: October 1983, June 1989, May 1990, October 2001, and August 2005.

The current revision to the CP Plan was developed with input from the 20 CACs. The revision serves to update the information in the existing CP Plan and to establish greater consistency with federal, State, and County regulations and policies (See Exhibit 2 for a full copy of the revised CP Plan). The following provides a brief summary of the proposed changes:

General Updates: Various minor updates were made throughout the CP Plan. These updates include the name change of the Office of Community and Economic Development to DHCD, as well as the new location of the department. The changes also include updated information on the NRSAs and specification of federal and local regulations.

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Public Notice: The current CP Plan requires public hearings for the Consolidated Plan and substantial amendments to be published in a newspaper of general circulation. The proposed revisions also call for the public hearing notice to be published on the County website and on the County calendar. Furthermore, the language on the public notice requirement was revised to better reflect federal regulations regarding accommodations for the disabled and non-English speaking residents.

Public Comment Period: The existing CP Plan allows for a "15-day or a 30-day comment period." In order to be consistent with federal regulations, the revised CP Plan specifies that the 30-day comment period will apply to the Consolidated Plan and its amendments while the 15-day comment period will apply to the Consolidated Annual Performance and Evaluation Reports (CAPER).

Criteria for Substantial Amendments: In order to address requests from US HUD, two of the items in the criteria for a substantial amendment have been changed. Currently, a substantial amendment is required if "the scope of an activity increases by 100 percent" or if the "minimum change in the cost of the activity is \$250,000 or more." The proposed CP Plan will now require an amendment if "the scope of an activity increases by 50 percent" or if the "minimum change in the cost of an activity is \$125,000 or more."

CAC Composition: The text of the CP Plan was revised to more clearly explain the composition of the Community Action Committees.

CAC and Sub-Committee Meetings: The new CP Plan requires CAC meetings to be held no less than four times per year. It also establishes two sub-committees for each CAC and specifies that sub-committee meetings must be held on the same day as regularly scheduled CAC meetings. Furthermore, the revised CP Plan states that all the CAC and subcommittee meetings are subject to the Florida Sunshine Law.

CAC Vacancies: The proposed CP Plan provides a detailed process for determining a vacancy on a CAC and for nominating and electing a new CAC member, once a vacancy has been determined. The revisions state that the size of the CAC will be reduced until a new member is elected so that quorum will not be affected.

Term of Office: The term of office for all CAC members is being changed from two to three years.

Election Process: There are several changes proposed regarding the election process.

- **Candidate Notification:** Candidates that are not deemed eligible to serve on a CAC will be notified within five days following the close of the candidate registration period.
- **Poll Watchers:** Revisions to the poll watcher section are needed to clarify the existing text. The CP Plan requires candidates to submit requests for poll watchers in writing 24 hours prior to the election. The request must include a list of the poll-watchers. A maximum of three poll watchers are allowed; however, only one poll watcher is allowed inside the polling place.
- **Voice Vote:** The existing CP Plan allows for the CAC to nominate and elect members by secret ballot. According to the Office of the County Attorney, the Sunshine Law does not allow secret ballots. As such, the new CP Plan requires ballots to be read in public at a specified time and a voice vote to elect officers.

Special Meetings: The revised CP Plan specifies the conditions under which special meetings may be held. The conditions include availability of County staff, a minimum notice of 48 hours for committee members, and a 24 hour notice on the County Calendar.

Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners
Page 3

Conflict of Interest: The Conflict of Interest clause was amended to include a statement indicating that members of the CAC are subject to the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance (Section 2-11.1 of the Code of Miami-Dade County). A definition of "immediate family" was also provided.

Recall of a Member: A definition of a "binding hearing" was added to this clause and the text explaining the recall procedure was revised to provide more clarification on the process of recalling a member.

The latest revision of the CP Plan is attached for review and approval of the BCC.

Attachments


Cynthia W. Curry
Senior Advisor to the County Manager

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MEMORANDUM

(Revised)

TO: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

DATE: December 15, 2009

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 8(K)(1)(A)

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

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Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(K)(1)(A)
12-15-09

RESOLUTION NO. R-1428-09

RESOLUTION AUTHORIZING THE BOARD TO ADOPT AND APPROVE THE REVISED CITIZEN PARTICIPATION PLAN AND GUIDELINES FOR MIAMI-DADE COUNTY DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT AND MIAMI-DADE COMMUNITY ACTION AGENCY EFFECTIVE UPON ADOPTION

WHEREAS this Board desires to accomplish the purpose outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board authorizes the adoption and approval of the revision(s) to the Citizen Participation Plan for the Consolidated Planning Process and Citizen Participation Guidelines attached hereto and made a part hereof for the Miami-Dade County Department of Housing and Community Development and Miami-Dade County Community Action Agency effective upon adoption.

The foregoing resolution was offered by Commissioner **Audrey M. Edmonson**, who moved its adoption. The motion was seconded by Commissioner **Barbara J. Jordan** and upon being put to a vote, the vote was as follows:

	Dennis C. Moss, Chairman	aye	
	Jose "Pepe" Diaz, Vice-Chairman	aye	
Bruno A. Barreiro	absent	Audrey M. Edmonson	aye
Carlos A. Gimenez	aye	Sally A. Heyman	aye
Barbara J. Jordan	aye	Joe A. Martinez	aye
Dorrin D. Rolle	aye	Natacha Seijas	aye
Katy Sorenson	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

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The Chairperson thereupon declared the resolution duly passed and adopted this 15th day of December, 2009. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK



By: **DIANE COLLINS**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

BKCN

Brenda Kuhns Neuman

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Exhibit 1
Miami-Dade County Community Advisory Committees by
Target Areas/Neighborhood Strategy Areas (NRSAs) and Commission Districts

Community Advisory Committee	Target Area/ Neighborhood Revitalization Strategy Area (NRSA)	County Department Responsible for Providing Staff Support (CAA/DHCD)	Commission District
Accion/Little Havana	Target Area	CAA	Bruno A. Barreiro, District 5
Allapattah	Target Area	CAA	Audrey Edmonson, District 3
Brownsville	Target Area	CAA	Audrey Edmonson, District 3
Coconut Grove	Target Area	CAA	Carlos A. Gimenez, District 7
Culmer	Target Area	CAA	Audrey Edmonson, District 3
Edison	Target Area	CAA	Dorin D. Rolle, District 2
Florida City	Target Area	CAA	Dennis C. Moss, District 9
Goulds	Target Area/NRSA	CAA/DHCD	Dennis C. Moss, District 9
Hialeah	Target Area	CAA	Natacha Seijas, District 13
Liberty City	Target Area	CAA	Dorin D. Rolle, District 2
Melrose	NRSA	DHCD	Audrey Edmonson, District 3
Model City	NRSA	DHCD	Dorin D. Rolle, District 2 & Audrey Edmonson, District 3
Leisure City/ Naranja Plant	Target Area/NRSA	CAA/DHCD	Katy Sorenson, District 8 & Dennis C. Moss, District 9
Opa Locka*	NRSA	DHCD	Barbara Jordan, District 1
Opa Locka/Liberty City*	Target Area	CAA	Barbara Jordan, District 1
Perrine	Target Area/NRSA	CAA/DHCD	Dennis C. Moss, District 9
South Beach	Target Area	CAA	Bruno A. Barreiro, District 5
South Miami	Target Area/NRSA	CAA/DHCD	Carlos A. Gimenez, District 7
West Little River	NRSA	DHCD	Dorin D. Rolle, District 2
Wynwood	Target Area	CAA	Audrey Edmonson, district 3

CAA – Community Action Agency
DHCD – Department of Housing and Community Development

*Opa Locka has two Community Action Committees. One represents the Opa Locka/Liberty City area and is staffed by the CAA. The second CAC is staffed by DHCD.



Exhibit 2

**CITIZEN PARTICIPATION PLAN
FOR THE CONSOLIDATED PLANNING PROCESS
&
CITIZEN PARTICIPATION GUIDELINES**

For

**DEPARTMENT OF HOUSING
AND COMMUNITY DEVELOPMENT
&
COMMUNITY ACTION AGENCY**

"Delivering Excellence Every Day"

December 15, 2009

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On behalf of the tri-partnership between the Department of Housing and Community Development (DHCD), Miami-Dade Community Action Agency (CAA) and the Community Advisory Committees (CAC), we are pleased to submit to the Board of County Commissioners a revised Citizen Participation Plan & Guidelines. This plan updates the previous document, approved on August, 2005.

This update is designed to enhance the citizen participation process in light of the changes in technology and current trends in neighborhood and economic development, new County programs and overall County, State and Federal policy shifts affecting Miami-Dade County.

Citizen Participation is essential to our organizational missions. The Citizen Participation process affords opportunities for local residents to involve themselves in the planning and development of activities that affect their lives and their communities. The CACs provide a format for communication between citizens and decision-making entities in more than twenty (20) community target areas throughout Miami-Dade County.

DHCD and CAA are delighted to be a part of the citizen participation process and look forward to continuing the efforts of empowering Miami-Dade County's residents and neighborhoods through citizen participation and advocacy.

As a part of the democratic process, we encourage citizens to participate and make their voices heard!

Sincerely,

*Shalley Jones Horn
Miami-Dade County
DHCD*

*Julie Edwards, Executive Director
Miami-Dade County
Community Action Agency*

PART I:

MIAMI-DADE COUNTY CITIZEN PARTICIPATION PLAN FOR THE CONSOLIDATED PLANNING PROCESS

OVERVIEW OF THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

The Department of Housing and Community Development (DHCD), formerly known as the Office of Community and Economic Development (OCED), administers Federal and State funding that supports the development of viable urban neighborhoods in Miami-Dade County. Such support is characterized as decent housing, expansion of economic opportunities, public service, capital improvements and the preservation of historic properties. The main sources of funding utilized to meet these needs are the Community Development Block Grant (CDBG), HOME Investment Partnership (HOME) and Emergency Shelter Grant (ESG). These programs are established to help low- and moderate-income persons, particularly those living in slum and blighted areas. The U.S. Department of Housing and Urban Development (U.S. HUD) regulates and governs the CDBG, HOME and ESG programs. The regulations specify that an entitlement area (an area which receives a direct allocation from U.S. HUD to address high priority needs in low to moderate income communities) must adopt a citizen participation plan, which establishes policies and procedures for citizen participation. The following are entitlement areas in Miami-Dade County: City of Miami, City of Miami Gardens, City of Miami Beach, City of North Miami, City of Hialeah, City of Homestead, Florida City, through the State-of Florida Small City Program, and Miami-Dade County.

APPLICABILITY AND ADOPTION OF THE CITIZEN PARTICIPATION PLAN

The U.S. HUD requires the adoption of a Citizen participation Plan that sets forth the jurisdiction's policies and procedures for citizen involvement. Those citizen participation policies and procedures are listed below.

A Citizen Participation Plan is required as a part of the County's Consolidated Plan. Section 24 of the Code of Federal Regulations (CFR) Parts 91, et al, requires that Miami-Dade submit a Consolidated Plan in order to receive funding under various grant programs. A Consolidated Plan is an approved plan that displays the objectives that a participating jurisdiction proposes to achieve with its federal funding throughout a specific five-year period. Miami-Dade County's Consolidated Plan includes three US HUD Community Planning and Development (CPD) formula programs described previously:

- Community Development Block Grant (CDBG)
- HOME Investment Partnerships (HOME)
- Emergency Shelter Grants (ESG)

ENCOURAGEMENT OF CITIZEN PARTICIPATION

The Citizen Participation Plan encourages participation through the following:

- Citizens have an opportunity to participate in the development of the Consolidated Plan, any substantial amendments to the Consolidated Plan, and the Consolidated Annual Performance Evaluation Report.
- The main focus of Miami-Dade's Citizen Participation Plan is to encourage all residents, including minorities, non-English speaking persons, as well as persons with disabilities to participate in each of the above-defined activities.
- Additionally, the County works with public housing authorities in an effort to encourage residents of public and assisted housing developments, along with other low- income residents of neighborhood revitalization strategy areas (NRSAs) and, eligible block groups (i.e. communities where more than 51% of the people are low and moderate income), to participate in the process of developing and implementing the Consolidated Plan.

Neighborhood Revitalization Strategy Areas

U.S. HUD has approved eight Neighborhood Revitalization Strategy Areas (NRSA) in Miami-Dade County: Leisure City/Naranja, Goulds, Perrine, South Miami, Melrose, Model City, West Little River, and Opa Locka. Each NRSA has an elected advisory body of area stakeholders who facilitate meetings, review policies and procedures, set priority needs and allocate a percentage of CDBG funds to meet selected community needs during the annual Consolidated Request for Application Process. These meetings provide for multiple venues to hear citizen comments on the development of the Citizen Participation Plan, the Consolidated Plan, the annual Policy Paper, the annual Action Plan and the Consolidated Annual Performance Evaluation Report (CAPER).

As the lead entity, DHCD will consider all public comments and to conduct citizen participation in an advisory manner. The County's citizen participation philosophy is simply that the community's involvement is essential to the development and implementation of all DHCD programs.

DEVELOPMENT OF THE CONSOLIDATED PLAN

Before Miami-Dade County adopts a Consolidated Plan, DHCD will make available to citizens, public agencies and other interested parties information that includes:

- The amount of grant funds and/or program income Miami-Dade County expects to receive and proportionally how those funds will benefit persons of low-to-moderate income, as well as activities that may be undertaken to address high

priority needs included in NRSA strategies, Neighborhood Plans and County approved Charrette process.

- Measures to avoid displacement of families and individuals while carrying out activities under the Consolidated Plan. This includes acquiring vacant buildings and land rather than occupied buildings and land. However, where there seems to be no alternative, the following steps will be taken to assist families and individuals who are displaced:
 - Tenants and homeowners will receive those benefits provided for under the Relocation and Real Property Acquisition Act of 1970, as amended.
 - Relocation referrals are provided to persons being displaced. Various methods are utilized by the relocation staff to identify relocation sources. Those include:
 - ♦ Referrals from realtors or large rental agencies.
 - ♦ Response from owners/agents to advertisements, published in English and Spanish.
 - ♦ Signs displayed by owners/agents in various neighborhoods noted by relocation advisors and/or housing inspectors who report this information to the relocation office.
 - ♦ Word of mouth referrals from persons with whom the relocation office has dealt in the past.
 - ♦ Advertisements in English and Spanish and other non-English newspapers placed by owners/agents offering units for rent and/or sale.
 - When possible and if requested, provisions shall be made to allow displacees to relocate in the neighborhood from which they were displaced.
 - Tenants and homeowners shall be advised of their rights and responsibilities.

Publishing the Proposed Consolidated Plan

DHCD will publicly notice hearings to adopt the Consolidated Plan. This information will also be part of the package of information provided to persons or groups applying for funding through grant programs supporting the Consolidated Plan.

Public Hearings

There will be two (2) public hearings to obtain citizens' views and to respond to proposals and questions. Both hearings will be held before the Miami-Dade Board of

County Commissioners (BCC) or a designated committee of the Board. These hearings will address housing and community development needs, development of proposed activities and review of program performance. The hearings will be held in a public facility that is easily accessible to the public including persons with disabilities. The place, date and time of these hearings will be determined by the County Manager in consultation with the Chairperson of the Board of County Commissioners or the Chairperson of the Board's designated committee.

The first public hearing will be held during the development of the Consolidated Plan. To guide the process of soliciting proposals for funding, a policy paper will be presented to the Board of County Commissioners or a designated committee of the Board. The views of citizens on housing and community development needs, including priority non-housing community development needs will be considered.

The second public hearing will be held to adopt the Consolidated Plan. The Board of County Commissioners or a designated committee of the Board will review program performance, including the performance of ongoing activities, in their consideration of adopting the annual action plan. During the public hearing, the board will consider the comments or views of citizens received orally, or in writing, in preparing to adopt the proposed consolidated plan.

Together the two public hearings shall address, in addition to the above issues, community development and housing needs, development of proposed activities, and review of program performance.

The Community Advisory Committees (CACs) for the Neighborhood Revitalization Strategy Areas will have the opportunity to review and comment on the Consolidated Plan, prior to its adoption. The CAC meetings will provide citizens from the NRSAs with a reasonable opportunity to comment on the Consolidated Plan.

A public notice summarizing the action to be taken at each public hearing will be placed in a newspaper of general circulation, and newspapers representing significant minorities and non-English speaking persons, at least fifteen (15) days prior to the hearing. Notice of the hearings shall be published on the DHCD website (<http://www.miamidade.gov/ced>) and the County Calendar (<http://www.miamidade.gov>). The notice shall provide information on the time, location and subject of the hearing, and state that accommodations for the disabled or non-English speaking residents will be made available for free upon advance request, at least five (5) days prior to public the hearing.

Copies of the Consolidated Plan will be distributed to regional public libraries, the Office of American's with Disabilities Coordination, the Homeless Trust and through the Miami-Dade Community Action Agency neighborhood network. Copies of the Consolidated Plan will also be available at the DHCD office, located at 701 NW 1st Court, 14th Floor, Miami, FL 33136, during regular business hours.

This public notice period, as required by U.S. HUD, allows for citizens to respond to the proposed Plan before it is adopted by the Board of County Commissioners. Citizens will have at least thirty (30) days to provide comments on the Consolidated Plan. A public hearing may be held at any time during the public comment period. A summary of the comments or views, and a summary of any comments or views not accepted and the reasons therefore, shall be attached to the final consolidated plan. Written responses to citizen complaints and grievances, including procedures that citizens must follow when submitting complaints and grievances, shall be issued within fifteen (15) working days of receipt of the complaint or grievance, where practicable.

Every effort will be made to increase public awareness and participation for public hearings through additional methods of advertising in order to obtain citizen's views in response to the proposals concerning the consolidated plan.

CRITERIA FOR SUBSTANTIAL AMENDMENTS TO THE CONSOLIDATED PLAN

A substantial change for a planned or actual activity will require an amendment to the Plan. A substantial change is any change in purpose, scope, funding amount, location and/or beneficiaries of an activity, which actually and/or materially affects one or more of the preceding in the manner stated below:

- An activity assumes a new purpose.
- The scope of activity is increased by 50% or more.
- The minimum change in the cost of an activity is \$125,000 or more, or
- An activity's services are redirected outside of the previously agreed upon strategy areas.

Amendments, which affect established target areas will be submitted to the respective Neighborhood Advisory Committees for review and comment during the committee's next regularly scheduled meeting in order to provide citizens with a reasonable opportunity to comment on any substantial amendments to the Plan.

A public notice summarizing the amendment(s) will be placed in a newspaper of general circulation, and newspapers representing significant minorities and non-English speaking persons, at least 15-days prior to the hearing. Copies of the amendments will be available at the DHCD office, located at 701 NW 1st Court, 14th Floor, Miami, FL 33136, during regular business hours. Notice of the hearing shall also be published on the DHCD website (<http://www.miamidade.gov/ced>) and the County Calendar (<http://www.miamidade.gov>). The notice shall provide information on the time, location and subject of the hearing, and state that accommodations for the disabled or non-English speaking residents will be made available for free upon advance request, at least five (5) days prior to public the hearing.

This public notice period, as required by U.S. HUD, allows for citizens to respond to the proposed amendment before it is adopted by the Board of County Commissioners.

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Citizens will have not less than thirty (30) days to provide comments on the proposed amendment(s). A public hearing may be held at any time during the public comment period. A summary of the comments or views, and a summary of any comments or views not accepted and the reasons therefore, shall be attached to the final consolidated plan.

PERFORMANCE REPORTS

Before DHCD submits the annual CAPER to U.S. HUD, a public notice announcing the availability of the report will be placed in a newspaper of general circulation, and newspapers representing significant minorities and non-English speaking persons. Copies of the report will be available at the DHCD office during regular business hours. The notice will allow for a 15-day period during which DHCD will receive comments on the performance report before its submission. The Miami-Dade Department of Housing and Community Development will consider any comments or views of citizens received in writing or orally at public hearings in preparing the performance report. A summary of these comments or views will be attached to the performance report.

MEETINGS

Miami-Dade County has adopted a Citizen Participation Plan that establishes a formal structure through which residents may participate in the planning, implementation and evaluation of the program in an advisory role. Residents are afforded the opportunity to help identify community conditions and determine community needs, help develop corrective strategies and monitor their progress and effectiveness. To foster the most effective citizen participation process possible, Miami-Dade County will make reasonable efforts to ensure continuity of residents' involvement by encouraging continuous participation throughout all stages of the process, from initial planning through assessment of performance.

Public meetings will be held in each of the NRSAs no less than four times per year to provide residents an opportunity for input into all phases of the process. The meetings will be for the general purpose of providing residents with information, soliciting their views and providing them with an opportunity to comment on Miami-Dade County's community development needs and performance.

As a public body, the CACs are subject to the Florida Sunshine Law (Sunshine Law). The Sunshine Law requires:

- o All meetings must be open to the public;
- o Reasonable notification of such meetings must be given; and
- o Minutes of the meetings must be taken.

ACCESS TO RECORDS

Pursuant to Florida statutes, all information and records relating to the development of the Consolidated Plan and Miami-Dade County's use of funds awarded under the

Consolidated Plan will be on file at the Department of Housing and Community Development, 701 NW 1 Court, Suite 1400, Miami, FL. The office is open from 8:00 a.m. until 5:00 p.m., Monday through Friday. It is closed on holidays. The public has access to these records for the current year and four years after the performance report is submitted to U.S. HUD.

TECHNICAL ASSISTANCE

Upon request, technical assistance will be provided to groups representing low-and-moderate income persons, including persons with disabilities or other special needs with the completion of applications or proposals for funding assistance under any of the programs covered by the Consolidated Plan, as well as the preparation of a budget for any proposed activity.

COMPLAINTS

Complaints from citizens received in writing or orally at public hearings, in the development of the final Consolidated Plan, amendments to the plan, or the performance report, will be summarized and attached to the final consolidated plan, amendment of the plan or performance report. A summary of comments or views not accepted and the reason thereof will also be attached. Citizens' written complaints will receive a response in writing within fifteen (15) days of receipt of the complaint, where practicable.

PART II:

COMMUNITY ACTION AGENCY

OVERVIEW OF COMMUNITY ACTION AGENCY

Community Action Agencies (CAAs) are private non-profit or public organizations that were initially created by the federal government in 1964 to combat poverty in geographically designated areas. The Miami-Dade County Community Action Agency is one of a number of CAAs nationally that are part of a local government structure. Status as a CAA is the result of an explicit designation by local or state government. A CAA has a tripartite board structure that is designed to promote the participation of the entire community in the reduction or elimination of poverty. Community Action Agencies seek to involve the community, including elected public officials, private sector representatives and especially low-income residents in assessing local needs and attacking the causes and conditions of poverty.

PURPOSE AND MISSION

A substantial portion of the funding for CAAs comes from the Community Services Block Grant (CSBG), which was created in 1981 by the Omnibus Budget Reconciliation Act.

The purpose of the CSBG Act, as amended by the Coats Human Services Act of 1998, is "to provide assistance to States and local communities, working through a network of CAAs and other neighborhood based organizations, for the reduction of poverty, the revitalization of low-income communities and the empowerment of low-income families and individuals in rural and urban areas to become fully self-sufficient".

A CAA carries out its mission through a variety of means including: (a) community-wide assessments of needs and strengths, (b) comprehensive anti-poverty plans and strategies, (c) provision of a broad range of direct services, (d) mobilization of financial and non-financial resources, (e) advocacy on behalf of low-income people and (f) partnerships with other community-based organizations to eliminate poverty. A CAA involves the low-income population it serves in the planning, administering and evaluation of its programs.

Six national goals were developed by the U.S. Department of Health and Human Services in 1994 for community action. Those goals are:

- Goal 1: Low-income people become more self-sufficient.
- Goal 2: The conditions in which low-income people live are improved.
- Goal 3: Low-income people own a stake in their community.
- Goal 4: Partnerships among supporters and providers of services to low - income people are achieved.

- Goal 5: Agencies increase their capacity to achieve results.
- Goal 6: Low-income people, especially vulnerable populations, achieve potential by strengthening family and other supportive systems.

MIAMI-DADE COMMUNITY ACTION AGENCY STRATEGY & APPROACH

The CSBG Act requires the formation and maintenance of a tripartite board, for a CAA, as the critical structure to assure decision-making and participation by low-income individuals in the development, planning, implementation and evaluation of programs funded under CSBG. The tripartite board must be constituted such that:

- One-third of the members of the board are elected public officials, holding office on the date of selection, or their representatives;
- Not fewer than one-third of the members are persons chosen in accordance with a democratic selection procedure adequate to assure that these members are representatives of low-income individuals and families in the neighborhood served; and
- The remainder of the members are officials or members of business, industry, labor, religious, law enforcement, education or other major groups and interests in the community served.

Although the State of Florida has the option to develop a different mechanism for public CAAs, such as Miami-Dade CAA, the State has utilized the requirements cited above as the framework for public CAAs as well.

CAA, in its desire to fully engage the community, employs a two-tiered approach to the engagement of the community. The Community Action Agency Board (CAAB), as the tripartite board for Miami-Dade County, is duly responsible to ensure the involvement of all three sectors in advocacy, resource mobilization, education and service delivery to impact the incidence of poverty in Miami-Dade County. Recognizing the magnitude of the geography of Miami-Dade County, the formation of community advisory committees in targeted communities provides CAA with an enhanced opportunity to maximize representation of low-income residents, to reduce isolation of those communities and to present a unified voice to address community attitudes and practices toward the poor and to impact the allocation of public and private resources for the reduction or elimination of poverty.

Community Advisory Committees consist of two structures: the CAA CAC and the CAA/DHCD CAC. The CAA Community Advisory Committees focus on social concerns impacting their neighborhoods. In communities where CAA and DHCD share the same boundaries, the CAA/DHCD Community Advisory Committees, in addition to social concerns, focus on issues related to the community and economic development of their neighborhoods.

Community Advisory Committees consist of two structures. The CAA CACs are intended serve as the advisory committees for the Target Areas, and the CAA/DHCD CACs are the advisory committees for the joint Target Areas/Neighborhood Revitalization Strategy Areas (NRSAs). The CAA Community Advisory Committees for the Target Areas focus on social concerns impacting their neighborhoods. In communities where Target Areas and NRSAs share the same boundaries, the communities have joint CAA/DHCD Community Advisory Committees. In addition to social concerns, the joint CACs focus on issues related to the community and economic development of their neighborhoods.

STRUCTURE AND SCOPE

Through the formation of CACs, residents are empowered to effectively speak directly on behalf of their interests and views within their immediate areas and within the broader community while working together to reach solutions to problems. Central to the plan is the establishment of two citizen participation structures on the neighborhood level and on a countywide level. To better maximize the use of local resources, the Community Advisory Committees must develop and nurture positive relationships with private and public sector entities to improve the quality of life in low-income neighborhoods. The neighborhood structure exists in the form of Community Advisory Committees. The countywide structure exists in the form of a Community Action Agency Board. Throughout its history, the Community Action Agency Board mandated that:

- There shall be a Community Advisory Committee in each of the identified target areas as established by Citizen Participation Guidelines of CAA and adopted by the County Commission.
- Each Community Advisory Committee shall serve in an advisory capacity to the Community Action Agency Board and shall have the opportunity to recommend, plan and conduct neighborhood projects.
- Each Community Advisory Committee may establish subcommittees deemed necessary to carry out the neighborhood projects.
- Guidelines for community advisory committees, established by the Community Action Agency and adopted by the Board of County Commissioners, shall govern the Community Advisory Committees.

LEADERSHIP DEVELOPMENT

Critical to the Community Action Agency philosophy is the need for residents of low-income communities to become advocates and to play a central role in public policy initiatives and programs that have a direct impact on their environment. The CAA's objective is to reduce the isolation of the poor and to improve communication between themselves and policy-makers. The ultimate objective is not to speak for the people,

but rather to enable them to speak for themselves. To better equip the Advisory Committees in fulfilling their advocacy mission and making sound decisions, CAA must provide CAC members with capacity building and leadership development training to support their efforts in the building of better communities.

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PART III:

COMMUNITY ADVISORY COMMITTEE GUIDELINES

NAME

Each Community Advisory Committee (CAC) will be identified by the name of its Target Area or Neighborhood Revitalization Strategy Area (NRSA). Each committee will represent the Target Area or NRSA whose boundaries are recognized by the Board of County Commissioners.

MEMBERSHIP

The Community Advisory Committees will consist of residents and area stakeholders. Stakeholders are those individuals who may be impacted by the outcome of the initiatives that will be developed in the Target Area/NRSA. Stakeholders are defined as residents, property owners, business owners or persons employed in the Target Area/NRSA.

A. COMMUNITY ADVISORY COMMITTEE COMPOSITION

- In order to serve as a member of any CAC, you must be at least eighteen (18) years of age and a registered voter in Miami-Dade County.
- The Department of Housing and Community Development (DHCD), the CAA/DHCD and the Community Action Agency (CAA) Advisory Committees will consist of thirteen (13) members. Members must be residents, property owners, business owners, or employed in the Target Area/NRSA.
- The DHCD Advisory Committees will consist of four (4) Officers and nine (9) Members, as follows:
 - Chairperson
 - Vice-chairperson
 - Secretary
 - Parliamentarian
 - 9 Members
- The combined CAA/DHCD Advisory Committees will consist of five (5) Officers and eight (8) Members. Of the eight members, each CAA Advisory Committee may have two (2) non-resident, non-stakeholder members that shall be appointed by the CAA Advisory Committees. The remaining eleven (11) members shall be duly elected. The configuration of the CAA/DHCD Advisory Committee shall be as follows:

- Chairperson
 - Vice-chairperson
 - Secretary
 - Parliamentarian
 - CAA Board Representative Alternate
 - 8 Members
- The CAA Advisory Committees will consist of five (5) Officers and eight (8) Members. Each CAA Advisory Committee may have two (2) non-resident, non-stakeholder members that shall be appointed by the Committee. The remaining eleven (11) members shall be duly elected. The configuration of the CAA Advisory Committee shall be as follows:
 - Chairperson
 - Vice-chairperson
 - Secretary
 - Parliamentarian
 - CAA Board Representative Alternate
 - 8 Members
 - Miami-Dade County staff employed by DHCD or CAA are ineligible to be Advisory Committee members. Staff may, however, participate in discussions at meetings of any Committee. Any person who works for an agency that receives funds from DHCD/CAA may serve as a member of the Advisory Committee but must adhere to rules of conflict of interest.
 - Miami-Dade County staff employed by Miami-Dade County departments other than DHCD or CAA may serve as Committee members provided they reside within the target area, however employees of Miami-Dade County are not eligible if they merely work, own property, or operate a business in the target neighborhood.

B. TYPES OF MEMBERSHIP

There are two types of membership in the Community Advisory Committee: Member and Officer.

MEMBERS

A Member of the Advisory Committee must be a stakeholder in the Target Area/NRSA.

The committee may consider using one (1) parent of a child currently enrolled in Head Start/Early Head Start who will represent Head Start and one (1) young adult representative (age 18 – 25). However, this is not a requirement.

SUB-COMMITTEES

- The Sub-Committees shall comply with all of the rules governing the Community Advisory Committee and are subject to Florida's Government-in-the-Sunshine Laws.
- A maximum of two Sub-committees are allowed and are limited to Housing, and Capital Improvements/Economic Development.
- Sub-committee meetings must be held on the same day as the regularly scheduled CAC meeting.
- A minimum notice of forty-eight (48) hours of the Committee members is required.
- A notice must be posted on the County Calendar a minimum of twenty-four (24) hours prior to the meeting.

VACANCIES

A vacancy on the Committee will be determined to exist under the following conditions:

- Absence from three (3) consecutive meetings without proper notification or an excused absence.
- Recall or removal in accordance with the Citizen Participation Guidelines.
- Upon resignation.

Attendance will be verified by a sign-in sheet. Only communication with CAA or DHCD staff in advance of the meeting will be accepted as "proper notification" for an excused absence. An excused absence includes, sickness, travel, family emergency, or significant commitments, such as work related commitments. At the subsequent Committee meeting, the CAC will consider and vote whether to approve the request for the excused absence.

If a member has two (2) unexcused absences within a calendar year, a warning letter will be sent from the Chair of the CAC to the member. When a member attains three (3) unexcused absences within a calendar year, a letter will be sent to the member from the Chair of the Committee indicating that they are no longer on the CAC.

If a member has two (2) unexcused absences within a calendar year, the Chair of the CAC will present a warning letter for the member at the next regularly scheduled meeting. Following the warning letter, when a member attains three (3) unexcused absences within a calendar year, the Chair of the Committee will present a letter at the next regularly scheduled meeting indicating that the member is no longer on the CAC, at which point the Committee may take a vote to remove the Board member. If the member is not present at any of the aforementioned Committee meetings, the Committee may request for County staff to send the letter/s to the member.

When for any reason, a vacancy occurs, the CAC will nominate and elect a new member at the next regularly scheduled meeting. The new member shall be subject to the eligibility requirements for CAC members and must provide the required documentation. If a replacement is not made within thirty (30) days from the date of the letter, the seat shall be deemed vacant and non-voting. The size of the Committee will be reduced for the remaining months in the Committee's calendar year so that the quorum is not affected.

OFFICERS

The Officers of the Community Advisory Committee shall be elected from the body of the committee members. Officers of the CAC will include:

- **Chairperson** - The Chairperson will preside at all Committee meetings. Chairpersons will provide subcommittees the opportunity to form and present their recommendations to the membership for action, will reflect any action approved by the full membership rather than actions of individual members and will assist staff in the preparation of agendas;
- **Vice-Chairperson** - The Vice-Chairperson will, in the absence of the Chairperson, become Acting Chairperson of the committee with all the rights, privileges, and powers afforded to the Chairperson. In the case of a lack of attendance, resignation, recall or death of the Chairperson, the Vice-Chairperson will automatically become the Chairperson.
- **Secretary** - The Secretary will be responsible for drafting Committee correspondence and recording all minutes and other records of the Committee. In the absence of the Chairperson and Vice-Chairperson, the Secretary will temporarily assume the duties of Chairperson. In the case of a lack of attendance, resignation, recall or death of the Vice-Chairperson, the Secretary will automatically become the Vice-Chairperson. In the case of a lack of attendance, resignation, recall or death of the Secretary, the Committee will nominate and elect a new Secretary by voice vote at a regularly scheduled meeting.

- **Parliamentarian (DHCD and CAA/DHCD only)** - The Parliamentarian's responsibility is to ensure that the meeting is conducted in a respectful manner and in accordance with customary rules of decorum. In the case of a lack of attendance, resignation, recall or death of the Parliamentarian, the Committee will nominate and elect a new Parliamentarian by voice vote at a regularly scheduled meeting

- **Community Action Agency Board Representative (CAA and CAA/DHCD only)** The Committee's representative to the Community Action Agency Board will serve as a liaison between the Advisory Committee and the Board. Representatives will be responsible for attending all Board Meetings, reporting to the Committee all Board actions that might affect and/or be beneficial to their target area, bringing to the Board concerns and recommendations from the Community Advisory Committee, and assuming an advocacy position on behalf of their target area in Board decisions. The Community Action Agency Board Representative must reside in the target area that they represent. In case of a lack of attendance at Community Advisory Committee and/or Community Advisory Board meetings, resignation, recall or death of the Community Action Agency Board Representative, the Committee will nominate and elect a new Community Action Agency Board Representative by a voice vote at a regularly scheduled meeting.

C. GENERAL RESPONSIBILITIES OF MEMBERS AND OFFICERS

Members and Officers are expected to:

- Support the missions of the Community Action Agency and the Department of Housing and Community Development;
- Solicit input from the community at large;
- Attend meetings regularly; and
- Solely represent the views of the majority of the residents of the area.

D. TERM OF OFFICE

Members and Officers of the Community Advisory Committee will be elected for three (3) year terms.

E. ELIGIBILITY FOR MEMBER AND OFFICER

All candidates for membership must submit documentation supporting qualifications to serve on the Community Advisory Committee. All eligible candidates must demonstrate that they are at least eighteen (18) years of age

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and a registered voter in Miami-Dade County. Additionally, each candidate must have current documentation, which consists of a photo identification issued by a governmental agency as proof of identity. Depending on which eligibility category you are registering under, you will need to submit one of the following:

▪ **Resident**

Residents who wish to serve as a Member or an Officer must submit proof of residency within the Target Area/NRSA. Proof of residency may include:

- A current utility bill with the candidate's name at an address within the Target Area/NRSA;
- Deeds, mortgages or homestead exemption documentation with the candidate's name and an address within the Target Area/NRSA; or
- Official correspondence from a governmental agency indicating the candidate's name and an address within the Target Area/NRSA.

▪ **Property Ownership**

Property owners who wish to serve as a Member must submit property records consisting of deeds, mortgages, homestead exemption documentation and/or mortgage payment documentation with the owners name and address showing ownership and proof that the property in question is located within the Target Area/NRSA.

▪ **Business Ownership**

Business owners who wish to serve as a Member must submit documentation consisting of corporate records and evidence that the business is located within the Target Area/NRSA.

▪ **Employment in Target Area/NRSA**

Employees in the Target Area/NRSA who wish to serve as a Member must submit a letter or documentation from the employer stating that the candidate's work location is within the boundaries of the Target Area/NRSA.

F. MEMBER AND OFFICER ELIGIBILITY QUALIFICATION AFFIDAVIT

All candidates for the Community Advisory Committee Member position are required to complete the Eligibility Qualification Affidavit (see attachment A) attesting that they have fulfilled the qualifying criteria and are eligible to serve as a Member. This Affidavit will also serve as temporary proof of eligibility for individuals wishing to seek membership on the Community Advisory Committee who are unable to provide the documentation cited above at the time of registration for candidacy. Completion of the Eligibility Qualification Affidavit will

allow an individual to seek membership, pending validation of the information by Miami-Dade County staff. This Affidavit must be filed with the Executive Director of the Community Action Agency or the Executive Director's designee. Staff will have a period of up to thirty (30) days to review the information. If upon review the Committee or Miami-Dade County staff finds that the information attested to in the Eligibility Qualification Affidavit is false or unsubstantiated, this may result in immediate removal from the Member position on the Committee.

PART IV:

RULES AND PROCEDURES GOVERNING THE VOTER REGISTRATION AND ELECTION PROCESS

A. ELECTION ORIENTATION PUBLIC MEETING

Election orientation public meetings will be held in each target area/NRSA to educate residents and stakeholders on the election process. It is a requirement that at these meetings a minimum of fifteen (15) of the respective Target Area/NRSA residents and/or stakeholders be present. In the event that the resident attendance requirement is not met, another Election Orientation Public Meeting shall be automatically scheduled. If, at the second Election Orientation Public Meeting, the resident attendance requirement is not met, the presiding Community Advisory Committee will remain in office until the next election cycle.

Notification of the Election Orientation Public Meetings will be made ten (10) days in advance and will include the date, time, location and the purpose of the meeting. Public Notification regarding the Election Orientation Public Meetings will occur using various methods of communication (e.g. newspaper, flyer, radio and electronic mail) to ensure inclusion and facilitate maximum participation from the targeted neighborhood. At these meetings, staff will explain to participants the voting registration process, candidate qualifications and the election process for the Community Advisory Committees. The Election Guidelines and Procedures will be provided to individuals registering for candidacy during and after the Election Orientation Public Meeting. CAA Election Staff will also provide a schedule of office hours for the following activities:

- Registration for candidates and voters;
- Submission of poll watcher designation

B. ELECTION DATE

The date and location of the election will be set by Miami-Dade County staff at the Election Orientation Public Meeting and will be scheduled within a period of no earlier than ten (10) and no later than twenty (20) working days after the Election Orientation Public Meeting.

C. REGISTRATION FOR CANDIDACY

All candidates seeking a position as a Community Advisory Committee Member must meet eligibility criteria. Registration for all candidates and voters will begin at the Election Orientation Public Meeting and will last for a period of five (5)

working days. All candidates must be pre-registered to appear on the ballot and be considered for election. No write-in candidates will be accepted.

D. CANDIDATE NOTIFICATION

After the closing of the registration period, CAA Election Staff will:

- Notify candidates of their eligibility within five (5) working days following the close of the registration period.
- Upon request, provide a list of candidates who have (to date) registered to be placed on the ballot.
- Notify candidates of their ineligibility within five (5) working days following the close of the registration period.

E. TARGET AREA/NRSA VOTERS

Participation in the Target Area/NRSA elections will allow community residents and stakeholders the opportunity to contribute to a process that provides input on projects and issues that affect the social and economic well being of their Target Area/NRSA. This section will inform residents and stakeholders on how to qualify and register to vote in their area elections.

VOTER ELIGIBILITY

Community Advisory Committee Members are elected by individuals who have been verified to be eligible voters in the Target Area/NRSA Community Advisory Committee election. Only those individuals who have been verified, and deemed qualified will be eligible to vote. Each voter in the Community Advisory Committee (CAC) elections must be at least eighteen (18) years of age, be a registered voter in Miami-Dade County, and be either a resident, property owner, business owner and/or employed in the Target Area/NRSA.

VOTER QUALIFICATIONS

In order to qualify as an eligible voter, a person will need to present a current photo identification issued by a government agency as proof of identity and one of the following:

- **Resident**
Residents who wish to vote must submit proof of residency within the Target Area/NRSA. Proof of residency may include:
 - A current utility bill with the resident's name at an address within the Target Area/NRSA;

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- Deeds, mortgages or homestead exemption documentation with the resident's name and an address within the Target Area/NRSA; or
 - Official correspondence from a governmental agency indicating the resident's name and an address within the Target Area/NRSA.
- **Property Ownership**
Property owners who wish to vote must submit property records consisting of deeds, mortgages, homestead exemption documentation and/or mortgage payment documentation with the owners name and address showing ownership and proof that the property in question is located within the Target Area/NRSA.
 - **Business Ownership**
Business owners who wish to vote must submit documentation consisting of corporate records and/or evidence that the business is located within the Target Area/NRSA.
 - **Employment in Target Area/NRSA**
Employees in the Target Area/NRSA who vote must submit a letter or documentation from the employer stating that the voter's work location is within the boundaries of the Target Area/NRSA.

CAC ELECTION VOTER REGISTRATION

Registration of voters for the CAC elections will begin at the Election Orientation Public Meeting and will last for a period of five (5) working days. Voter registration for the CAC elections must be done in person. During the voter registration period, those individuals wishing to vote in the Community Advisory Committee election must register with Miami-Dade County staff at the Target Area/NRSA office and complete a CAC election voter registration form (see Attachment B).

Registration will not reopen on the day of election.

At the end of the CAC election voter registration period, the CAA staff will review the voter registration form and the supporting documents for accuracy. Staff will then do the following:

- Develop the roster of qualified voters;
- Compile the registration forms of all qualified voters; and
- Provide the qualified voters list to CAA election staff to use on Election Day.

F. ELECTION PROCEDURES

▪ DHCD Only

If there are more than thirteen (13) qualified candidates, an election will take place no earlier than ten (10) and later than twenty (20) working days after the Election Orientation Public Meeting. If there are thirteen (13) or fewer qualified candidates in the election, each candidate will be declared a winner without a formal election process. The CAA Election Staff will send the roster of the candidates to the Executive Director of the Community Action Agency or the Executive Director's designee for certification.

▪ CAA and CAA/DHCD Only

Of the thirteen members in a CAA and CAA/DHCD, only eleven (11) members must be elected. The remaining two members may be appointed by the Committee. If there are more than eleven (11) qualified candidates seeking election to serve on the Committee, an election will take place no earlier than ten (10) and no later than twenty (20) working days after the Election Orientation Public Meeting. If there are eleven (11) or less qualified candidates in the election, each candidate will be declared a winner without a formal election process. The CAA Election Staff will send the roster of the candidates to the Executive Director of the Community Action Agency or Executive Director's designee for certification.

G. ELECTION PROCESS

This section will address the procedures and processes by which an election will be carried out in each Target Area/NRSA. The Executive Director of CAA and the Director of DHCD will appoint staff members to oversee and coordinate a joint election process.

POLLING HOURS

Each polling place will be open on the day of election from 10 a.m. – 7 p.m. Voters will only be permitted in the polling place at the time that they are casting their vote. Individuals in line to vote in the election at 7 p.m. will be allowed to vote.

PROCEDURES BEFORE POLLS OPEN:

▪ Voting Booths

Two voting booths will be provided in each Target Area/NRSA polling place.

- **Certification of the Ballot Box**
The ballot box will be inspected by staff and witnesses to insure that it is empty and sealed with a numbered seal. The seal number is recorded on the election certificate, which is then signed by the CAA Election Staff.
- **Qualified Voters List**
CAA Election Staff must have a roster of qualified voters at the election table to verify voter eligibility.
- **Ballots**
CAA Election Staff must ensure that there are sufficient ballots.

H. **POLL WATCHERS**

A candidate requesting poll watchers must do so in writing; the request must include a list of poll watchers which the candidate has selected. The request for poll watchers must be submitted to the designated staff person no later than twenty-four hours prior to the day of the election. The schedules of each Target Area/NRSA office hours for poll watcher designation will be provided at the Election Orientation Public Meeting. A candidate may have up to a maximum of three (3) poll watchers. However, each candidate may have only one (1) poll watcher in the polling place at any one time during the election. If a candidate submits the names of more than one poll watcher for any polling place, the list must also contain the time periods in which each watcher is to be present in the polling place. Substitutions will not be permitted once the list is submitted.

- Each poll watcher must be a qualified and be registered to vote in the Target Area/NRSA election in which the candidate is running for membership. No candidate or member of the candidate's immediate family, to include parents, brothers, sisters, spouse, or children, shall be designated as a poll watcher. Poll watchers must adhere to the direction of CAA election staff.
- The purpose of a poll watcher is to observe the conduct of the election. If a poll watcher witnesses election irregularities or violations of the election that do not comply with these guidelines, they must inform staff. If the staff person is perceived to be the one at fault, the poll watcher may call the office of the Executive Director of the Miami-Dade County Community Action Agency.
- Poll watchers are not to speak to or interfere in anyway with any poll worker or any voter, with the exception of when entering the polling place. The poll watcher must give their name and provide current photo identification, issued by a government agency, as proof of identity to

staff. Such will be used to verify that they have been designated to serve as a poll watcher at that polling place.

- Poll watchers are not allowed in the registration and check-in areas at any time, and are prohibited from wearing or distributing campaign materials or in any way campaigning for any candidate.

I. PROHIBITED ACTIVITIES

The following activities are not permitted within a polling place or the building in which it is located on the day of election:

- Distribution of any political or campaign material;
- Solicitation of any vote, opinion, or contribution for any purpose;
- Solicitation of a signature on any petition;
- The sale of any item except in an established place of business;
- Campaign material or literature shall not be posted within a polling place or the building in which it is located;
- Candidates are not permitted within a polling place or the building in which it is located during the hours of voting on the day of any election except for the purpose of casting their vote. This provision does not apply to candidates whose regular place of employment is within the confines of the building in which the polling place is located, nor to clients participating in activities or services provided within the building. However, in neither case are they allowed in the designated polling place except to vote.
- Entrance into the polling place by any person who is not in line to vote from the opening to the closing of the polls, except the officially designated poll watchers, and CAA election staff.
- Voters who come to cast their ballots are allowed to wear campaign materials.

J. VOTING PROCEDURE

Voters will be directed to a registration check-in table, where they will provide current photo identification, issued by a government agency, as proof of identity to the CAA election staff. The election staff will locate the voter's name in the roster of qualified voters and will ask the voter to sign their name in the designated space on the roster. If the voter is unable to write, they will sign with a mark, which will be initialed by staff. Staff will then compare the signature on the voter roster with the signature on the voter's registration form, and, if necessary, require other identification. Staff will then issue, to the voter, the ballot. CAA Election Staff will provide at each polling place a fictitious sample ballot (Attachment C) to be used in instructing voters on how to vote. Upon request, staff may provide individual voters further instruction by using the

sample ballot. The voter will, without leaving the polling place, enter the voting booth alone to cast the ballot, unless the person requires assistance.

K. BALLOTS

▪ **Spoiled Ballots**

Any voter, who spoils a ballot, will return it to the inspector who will immediately destroy it without examination, and give the voter another ballot. In no case will a voter be furnished with more than three ballots. The inspector will keep a record of all ballots destroyed.

▪ **Ballot Assistance**

Any voter who registers to vote in any election and is unable to read or write or because of some physical disability, needs assistance in voting, may request assistance of election officials or some other person during the election, to assist them in casting their vote.

L. CLOSING THE POLLS

At 7:00 p.m., CAA election staff will make a public announcement that the last voter in line at that time will be the last person permitted to vote. Those voters standing in line at 7:00 p.m. will be allowed to cast their ballot.

After the last vote has been cast, the CAA election staff will declare the polls closed. At that time, all candidates, poll watchers, and members of the news media may enter the polling place to witness the breaking of the seal on the ballot box.

M. VOTE TABULATION

After all eligible voters have cast their ballots and the polls are officially declared to be closed, the vote tabulation of the Community Advisory Committee election will proceed as follows:

- Before the tabulation begins, staff may request witnesses to designate two individuals to assist in witnessing the reading of the names and the recording of the votes on the tally sheet. In addition, these witnesses will also sign the election certificate certifying the results of the election;
- CAA Election Staff will then tabulate the results by one staff person calling out the name on each ballot and another staff person recording the vote. The eleven candidates for CAA and CAA/DHCD only and thirteen (13) candidates for DHCD only with the highest number of votes will be elected.

- The CAA Election Staff will certify and issue a preliminary certification of the election results;
- Each member of the CAA Election Staff and the designated witnesses will then sign the election certificate; and
- In the event of a tie, a runoff election will take place at the next regularly scheduled Community Advisory Committee meeting following the Target Area/NRSA election. A notice of the runoff election will be sent to all registered voters of the Target Area/NRSA. A vote by ballot will be held to decide the outcome of the runoff election.

N. PROTEST OF ELECTION RESULTS

Any candidate or voter registered and qualified to vote in a CAA CAC or CAA/DHCD CAC election will have the right to protest the results as being erroneous by filing with the Executive Director of the Community Action Agency a sworn, written protest within five (5) business days following the day the election is held. Protests related to the DHCD CAC elections should be filed with the Director of DHCD.

O. ELECTION CERTIFICATION

The Executive Director of the Community Action Agency will certify the results of the Election within five (5) business days following the date of the election (barring a protest of the election results). Prior to certifying the results, the Executive Director of the Community Action Agency will have reviewed all letters of protest, investigated the allegations, and taken any action deemed necessary to address election concerns. The Executive Director/Designee will notify the candidates of the election results via U.S. mail.

P. ELECTION OF OFFICERS

Election of Officers shall be held within thirty (30) calendar days following the final certification of the members. Miami-Dade County staff will convene the newly elected Community Advisory Committee to elect from among themselves, the Officers of the Community Advisory Committee. The nomination and election of the Officers will take place by voice vote. In case of a tie, the election process will be repeated. If the tie is not broken following the second vote, the tie shall be broken by the toss of a coin. The coin must fall on the floor after it is tossed.

Q. DUTIES AND RESPONSIBILITIES OF STAFF

CAA/DHCD staff will provide notices of all Community Advisory Committee meetings and meeting agendas to each Advisory Committee member in writing at least five working (5) days in advance of the meeting. CAA/DHCD staff will be

responsible for ensuring that minutes of all Committee meetings are prepared and that all official action taken by the Community Advisory Committee is included. Minutes will be forwarded to all members prior to the next scheduled meeting and available for public inspection upon request. In communities where there are numerous non-English speaking residents, meeting notices, agendas and summaries of minutes will be provided in the language(s) represented in the communities. Appropriate interpreters will be available during meetings, if possible. At least once a year, a training session for Community Advisory Committee members will be held by a training team of the Community Action Agency. The areas of training will include: HHS Policies and Guidelines, Community Advocacy, Leadership Development, and Project Planning and Evaluating.

R. DUTIES, RIGHTS AND RESPONSIBILITIES OF MEMBERSHIP

After being elected, there are certain duties, rights and responsibilities that all members of the Community Advisory Committee must observe. There are also restrictions that govern the activities of Advisory Committee members. They are as follows:

- **QUORUM**
The Quorum required for any meeting of the Community Advisory Committee will be fifty percent (50%) plus one of the current members. In the absence of a quorum, the Advisory Committee can take no lawful action.
- **PARTICIPATION**
Participation at Community Advisory Committee meetings, excluding voting, will be open to all interested persons. Voting, however, will be restricted to the members of the Advisory Committee. Each Committee member will have one vote. Voting by proxy or absentee ballot will not be permitted. Provided a quorum is present, a simple majority of those voting will be sufficient to take action in accordance with the Community Advisory Committee Guidelines on those issues that are in support of the missions of the Community Action Agency and the Department of Housing and Community Development.
- **OBJECTIVES OF THE ADVISORY COMMITTEE**
It will be the responsibility of the Advisory Committee to initiate and to assume a leadership role in the Target Area/NRSA in order to address the following objectives:
 - Support the missions of DHCD and/or CAA.
 - Conduct Target Area/NRSA meetings.
 - Involve all persons who have an interest in the Target Area/NRSA.

- Make people aware of Target Area/NRSA conditions and encourage the improvements of those conditions.
 - Identify problems and issues in Target Area/NRSAs.
 - Identify alternative projects.
 - Facilitate two-way communication with government representative and Target Area/NRSA residents.
 - Recommend priorities within the purview of DHCD/CAA.
 - Provide an opportunity for the discussion of Target Area/NRSA problems and related issues directly related to CAA or DHCD.
 - Review the progress of Target Area/NRSA activities
- **DISCLOSURE**
All Community Advisory Committee members are required to disclose any affiliations they have with any organization or person that may have business before the Community Advisory Committee. Upon election, at the first meeting, each member shall disclose, for the record, these affiliations. In the event, the member becomes affiliated with an agency during their tenure, after the first meeting, this must be disclosed at the next scheduled meeting.

S. ORDER OF BUSINESS

The order of business for Committee meetings may constitute the following:

- Acceptance of Agenda
- Minutes of Preceding Meeting
- Reports of Officers
- Reports of Subcommittees
- Reports of Staff
- Unfinished Business
- New Business
- Announcements
- Adjournment

T. SPECIAL MEETINGS

Special meetings may be held under the following conditions:

- When requested at a regular meeting by a majority vote of the members present subject to county staff availability.
- When requested in advance, at a regularly scheduled meeting, by one-third of the members of the Committee and subject to county staff availability

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- When called by Miami-Dade County staff.
- May only be held based upon availability of staff
- Requires a minimum notice of forty-eight (48) hours of the Committee members
- Must be noticed on the County Calendar a minimum of twenty-four (24) hours
- Are subject to the Sunshine Law

U. DUTIES OF THE ADVISORY COMMITTEE

In pursuit of the objectives indicated above, the Community Advisory Committee will:

- Convene to establish the regular meeting time and schedule of the Community Advisory Committee that will allow for maximum citizen participation. This will occur within thirty (30) calendar days following the final certification of members.
 - Hold all meetings in a Miami-Dade County facility, which is accessible and amenable to community residents.
 - Assist in providing sufficient notice of meetings to community residents.
 - Establish subcommittees consisting of members and non-members as necessary and appropriate.
 - Review and take official action on sub-committee reports.
 - Make every effort to address and resolve Target Area/NRSA concerns within the Target Area/NRSA prior to being referred to the departmental level. Only matters approved by the majority vote of the members present may be referred to any other level.
- The Advisory Committee participates in program planning, monitoring, and evaluation of activities and programs within their community. In performance of this duty the Advisory Committee will:
 - Provide an opportunity for residents to identify needs or problems in their community as they relate to DHCD/CAA missions.
 - Encourage residents to propose viable solutions to identified needs and problems in their community as they relate to DHCD/CAA missions.
 - Elicit the recommendation and set program or neighborhood priorities from the Target Area/NRSA residents.
 - Review progress of activities within the Target Area/NRSA.
 - Enhance community input in planning Section 3 activities

V. RESTRICTIONS ON ADVISORY COMMITTEE MEMBERS

No Advisory Committee member will have the authority to change actions as voted upon by the Advisory Committee as a whole; all recommendations submitted will reflect the vote of the majority. No Advisory Committee member may represent themselves as a spokesperson for the Community Advisory Committee on ideas, issues or proposals, unless it has been pre-approved and authorized by the Advisory Committee as a whole. Nor may any Advisory Committee member appear before official public bodies, as a representative of the Advisory Committee (i.e. County Commission, City Commission, School Board, etc.) unless authorization to represent the Advisory Committee has been voted upon by a majority of the Community Advisory Committee. Any willful violation of the provisions of this section by a member of the Advisory Committee will be grounds for recall.

W. CONFLICT OF INTEREST

Any member who holds a board position or is employed by any agency receiving funds from CAA or DHCD shall be able to retain or run for a position on a Community Advisory Committee as long as the following conditions are adhered to:

- A member must recuse him/herself and physically leave the room while any discussion arises that involves funding decisions related to that agency or any discussion about that agency in general.
- The records of the meeting must reflect the above-required actions of the member.

An Advisory Committee member whose immediate family (defined as spouse, parents and/or children of the person involved) receives a financial benefit or serves as a Board member of an organization that may benefit as a result of action before that Advisory Committee will make known that interest and must refrain from voting and follow the process for recusing him/herself from the meeting.

The CAC Chairperson shall automatically remove any member found to have violated the conflict of interest policy. In the event the Chairperson is the member who has violated the policy, the next highest-ranking Committee member shall remove the Chairperson and thereby follow Part III – Community Advisory Committee Guidelines, Section B – Types of Membership to govern the Committee.

All members of the CAC are subject to the Conflict of Interest and Code of Ethics Ordinance (Section 2-11.1 of the Code of Miami-Dade County), as amended from time to time.

X. **RECALL OF A MEMBER**

A Target Area/NRSA stakeholder may initiate a recall of a member of the Community Advisory Committee for malfeasance or misconduct. Allegations of malfeasance and misconduct must be supported by concrete evidence.

The stakeholder must notify the Community Advisory Committee in writing regarding the allegations against a member or an officer of the CAC.

Recall is a two-step process.

1. Community Advisory Committee Action

The role of the Community Advisory Committee is to make a decision based on the evidence presented whether or not there are sufficient grounds to refer the matter by a 2/3 vote to the appropriate department for a binding hearing.

The Community Advisory Committee will allow both the stakeholder and the Committee member involved an opportunity to present their evidence at a regularly scheduled meeting. Upon the conclusion of the presentation of the evidence, the Committee will vote on whether to proceed to a formal hearing. In this instance, the member(s) or officers(s) involved in the action must refrain from voting.

2. Departmental Hearing

The Community Advisory Committee will forward all documents related to the petition for recall to the Executive Director of CAA, if the CAC is within a Target Area, or to the Director of DHCD, if the CAC is within a NRSA. The respective director will create a hearing committee. The hearing committee shall have a maximum of five (5) people. The hearing committee will notify the stakeholder and the Committee member involved of the date, location and time of the hearing within a thirty (30) day period of its creation. At the binding Hearing all parties shall present their arguments to the Hearing Committee. The parties shall agree to accept the committee's decision and waive any rights to subsequent action. The action of the hearing committee shall be final and binding.

Y. **REIMBURSEMENT (CAA and CAA/DHCD Advisory Committees only)**

Reimbursement is a payment made to an individual to cover the cost of certain expenses actually incurred as a result of attendance at a meeting or in performance of other official duties and responsibilities in connection with a Community Action Program.

- **Meetings:** A meeting is considered to take place (for purposes of reimbursement only) when proper notification has been made inviting the participants to attend even if no quorum is achieved.
- **Travel:** Travel reimbursement may be made to and from official appointments by the least expensive, convenient means of transportation. This may be by public transportation. Requests for travel reimbursement shall be subject to the availability of funds.

Z. PROCEDURES REGARDING RIGHT OF PETITION, WAIVER REQUESTS AND AMENDMENTS

When citizens feel inadequately represented on the Advisory Committee, they are permitted to propose amendments to these guidelines. Any such proposals shall be submitted to the DHCD and/or CAA Executive Director/Designee. The following questions will serve as a guide when requests for appeals are reviewed.

- Does the request for representation or waiver significantly influence the quality of citizen input?
- Does the request for representation or waiver complement County, State and/or Federal rules and regulations?
- Does the request for representation or waiver have significant negative implications in respect to an effective citizen participation process?
- Does the request for representation or waiver relate significantly to other legally established governmental citizen advisory structures?
- Does the request for representation or waiver relate to a citizen participation function or activity, or geographic area/population in which the general-purpose government has a responsibility or special interest?

The request should include specific information describing the:

- Purpose of the request.
- Expected Target Area benefits to be obtained.
- Special conditions peculiar to the Target Area making request.
- Existing Target Area representation.
- Description of compliance with governing rules and regulations.

AA. HISTORY OF DOCUMENT CREATION/REVISIONS

Document was created on July 7, 1981 Previous amendments were made on:

- October 1983
- June 1989
- May 1990
- October 2001
- August 2005

(Attachment A)



**ELIGIBILITY QUALIFICATION AFFIDAVIT
Declaration of Candidacy for Miami-Dade Community Action Agency
and Miami-Dade Department of Housing and Community Development Election**

I, _____
PLEASE PRINT NAME AS YOU WISH IT TO APPEAR ON THE BALLOT

do hereby file as a Candidate for election to the CAA and/or DHCD Advisory Committee in the _____ target area/NRSA . I declare that I am at least 18 years of age and a registered voter in Miami-Dade County. Additionally, I declare that I am a registered voter for the Advisory Committee election to be held on: _____ at 10:00 A.M. – 7:00 P.M.

I am eligible to run for this office based on one or more of the following qualification(s):

- _____ I live in the target area/NRSA _____ HOME ADDRESS
- _____ I am 18 years old or older _____ CITY, STATE, ZIP CODE
- _____ I am between the ages of 18 – 25 _____ PROPERTY ADDRESS
- _____ I own property in the target area/NRSA _____ BUSINESS ADDRESS
- _____ I own a business in the target area/NRSA _____ EMPLOYMENT ADDRESS
- _____ I am employed in the target area/NRSA
- _____ I am a Head Start Parent/Guardian
- _____ I am a participant in a Miami-Dade County sponsored Elderly Program
- _____ My income falls within the US Department Health and Human Services Poverty Guidelines (See attached CAA income guidelines)
- _____ None of the above

SIGNATURE OF CANDIDATE

By signing this affidavit, I do hereby declare that all information contained herein is correct to the best of my knowledge. If information provided reveals to be false, I will be subject to immediate removal from the committee and waive all rights to appeal or otherwise.

SIGNATURE OF CANDIDATE

ELECTION STAFF SIGNATURE

Handwritten signature/initials 75

(Attachment B)



MIAMI-DADE COUNTY COMMUNITY ACTION AGENCY
MIAMI-DADE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
Community Advisory Committee Voter Registration Form

Target Area/NRSA Name: _____

FIRST	MIDDLE	LAST NAME
RESIDENT ADDRESS	APT.	ZIP CODE
WORK ADDRESS		ZIP CODE
PROPERTY ADDRESS		ZIP CODE
BUSINESS ADDRESS		ZIP CODE
REGISTRATION DATE		DATE OF BIRTH

QUALIFICATION OF VOTER

LIVE IN AREA	<input type="checkbox"/>	OWN A BUSINESS IN AREA	<input type="checkbox"/>
OWN PROPERTY IN AREA	<input type="checkbox"/>	EMPLOYED IN AREA	<input type="checkbox"/>

I hereby swear that all of the information on this form is true and correct.

SIGNATURE OF VOTER

~~45~~ 76

(Attachment C)



MIAMI-DADE COMMUNITY ACTION AGENCY
MIAMI-DADE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
MEMBERSHIP ELECTION
10:00 A.M. – 7:00 P.M.

SAMPLE BALLOT
(CAA and DHCD/CAA ONLY)

QUALIFIED VOTERS MAY VOTE FOR UP TO THIRTEEN (13) CANDIDATES*

(Candidate names are in alphabetical order)

- | | |
|---|--|
| <input type="checkbox"/> John Axel | <input checked="" type="checkbox"/> Merlot Graham |
| <input checked="" type="checkbox"/> Bernice Bake | <input checked="" type="checkbox"/> Mitchell Johnson |
| <input type="checkbox"/> Betty Charles | <input checked="" type="checkbox"/> Maria Jones |
| <input checked="" type="checkbox"/> Washington Dowell | <input checked="" type="checkbox"/> Saens Kontz |
| <input type="checkbox"/> Elie Evans | <input checked="" type="checkbox"/> Clay Lawrence |
| <input checked="" type="checkbox"/> Mary Fonseca | <input type="checkbox"/> Angelica Seymour |
| <input checked="" type="checkbox"/> Moris Frankel | <input checked="" type="checkbox"/> Pedro Rodriguez |
| <input checked="" type="checkbox"/> Michelle Sajous | |

***(If you voted for more than thirteen (13) candidates, this ballot will be void)**

Jonas Hamilton, Election Staff, CAA
Marisol Edward, Election Staff, CAA

(Attachment D)



Miami-Dade Community Action Agency
Election Certificate

Target Area/NRSA ELECTION _____

I, the undersigned _____, Staff of Miami-Dade Community Action Agency overseeing the process of the CAC Elections, do, by my signature hereto, certify that the ballot box for the Community Advisory Committee (CAC) election being held this day of the month _____, 20 _____ is locked with seal number _____

Election Staff Name (Print)

Election Staff Signature

We, the undersigned, _____, Staff of Miami-Dade County Community Action Agency overseeing the process of the CAC Elections, hereby certify to the best of our knowledge that the seal number locked in the ballot box corresponds exactly with the number registered above. In my presence also were the following witnesses who have assisted in the breaking of the seal and the tabulation process. Except as otherwise specifically set forth and declared in this certification, in our presence and sight, no ballot was removed from or added, and no ballot was in any manner altered or tampered with by any person, and no person touched any ballot, except a person authorized to do so.

Quantity of voted ballots []

Quantity of voided ballots []

Election Staff Name (Print)

Election Staff Signature

Election Staff Name (Print)

Election Staff Signature

Witness Name (Print)

Witness Signature

Witness Name (Print)

Witness Signature

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ATTACHMENT C

BOARD APPROVED ORDINANCES AND RESOLUTIONS

ORDINANCES

- **Ordinance 82-16** - Further restricts CDBG program allocations:
 - At minimum, 75 percent of all beneficiaries must be low- or moderate-income households;
 - Emphasis must be placed on job creation for economic development activities; and
 - Emphasis must be placed on neighborhoods and citizen participation.
- **Ordinance 16A-2** – States that the Consolidated Planning Process must include protection; enhancement and perpetuation of properties of historical, cultural, archeological, aesthetic and architectural merit is in the interests of health, prosperity and welfare of the people of Miami-Dade County.
- **Ordinance 97-33** - Creates the Task Force on Urban Economic Revitalization, and provides for a review of DHCD recommendations for CDBG economic development category funding and CBO funding relating to economic development for the purpose of ensuring that DHCD's staff recommendations are in accordance with priorities established by the Plan. When the Board considers funding for economic development in Targeted Urban Areas, the Board will accept the recommendations of the Task Force unless the recommendations are disapproved by a two-thirds vote of the entire membership of the Board. DHCD must report to the Board the dollar amount being spent in Targeted Urban Areas.

RESOLUTIONS

- **Resolution 404-92** - All CDBG program income from economic development loans is to be placed into the Revolving Loan Fund until \$15 million is reached in the loan pool.
- **Resolution 406-92** - The County will develop a plan for CDCs engaged in rental housing construction to establish escrow accounts to be used to renovate rental housing projects.
- **Resolution 408-92** – The County will emphasize minority business participation in CDBG and Surtax projects.
- **Resolution 409-92** - The County is to provide a cost estimate for each CDBG funded Public facilities or historic preservation projects.
- **Resolution 1185-98** – The County requires compliance with U.S. HUD Section 3 requirements and directs all County departments to monitor compliance. It also requires all applicable County contracts and solicitations to contain language-requiring compliance with *Section 3*. *Section 3* ensures that employment and other economic opportunities generated by certain U.S. HUD financial assistance shall, to the greatest extent feasible, be directed to low- and very low-income persons, particularly those receiving government assistance for housing and to business concerns providing economic opportunities to low- and very low-income persons.
- **Resolution 543-05** – The County Manager is to submit an annual performance report relating to Community Development Block Grant (CDBG) funding to the Board of County Commissioners.

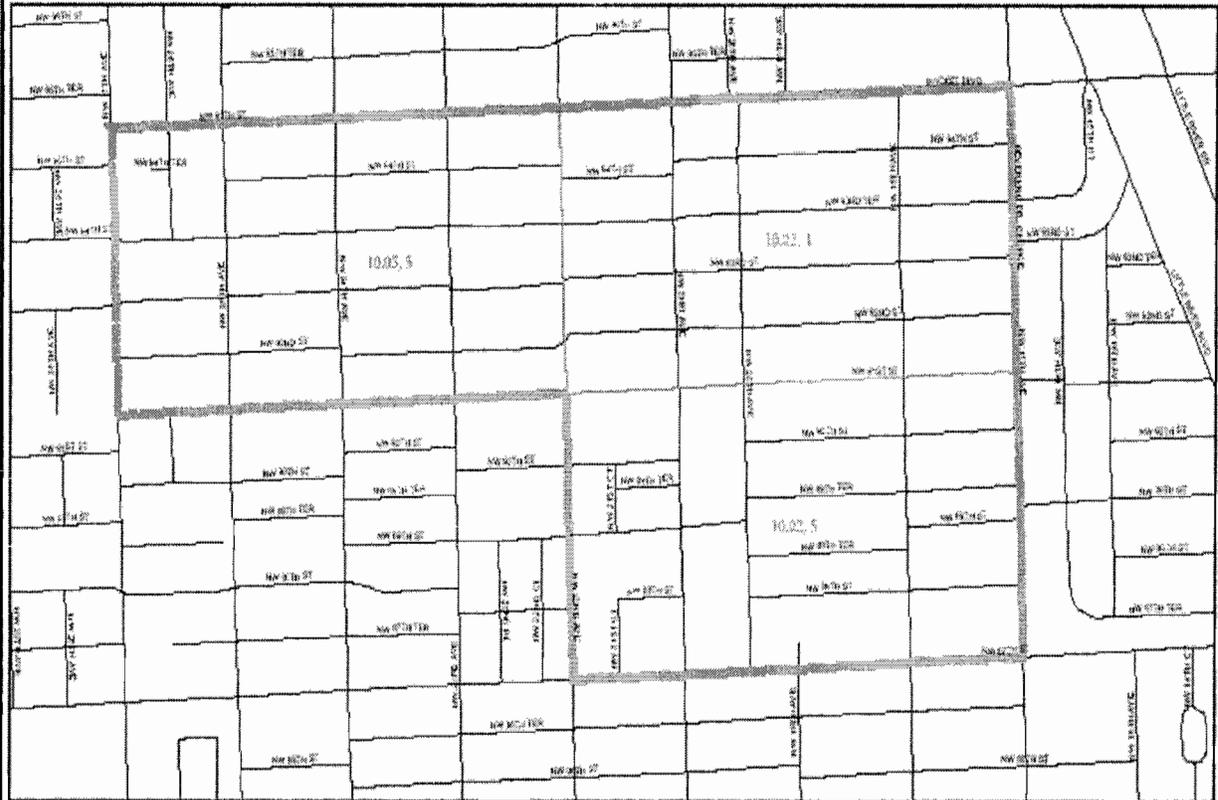
Procedures have been put in place to fulfill the requirements of the ordinances, and resolutions listed above. It is recommended that the Board of County Commissioners continue these policies accommodating potential conflicts with Federal policies as required.

ATTACHMENT D

**NEIGHBORHOOD REVITALIZATION STRATEGY AREAS
LIST AND MAPS**

Opa-locka	Commission District 1
West Little River	Commission District 2
Model City	Commission Districts 2 & 3
Melrose	Commission District 2
South Miami	Commission District 7
Perrine	Commission District 9
Goulds	Commission District 9
Leisure City/Naranja	Commission Districts 8 & 9

WEST LITTLE RIVER NRSA
MIAMI - DADE COUNTY, FLORIDA



LEGEND

-  West Little River NRSA Boundary
-  2000 Block Groups
-  Streets and Highways



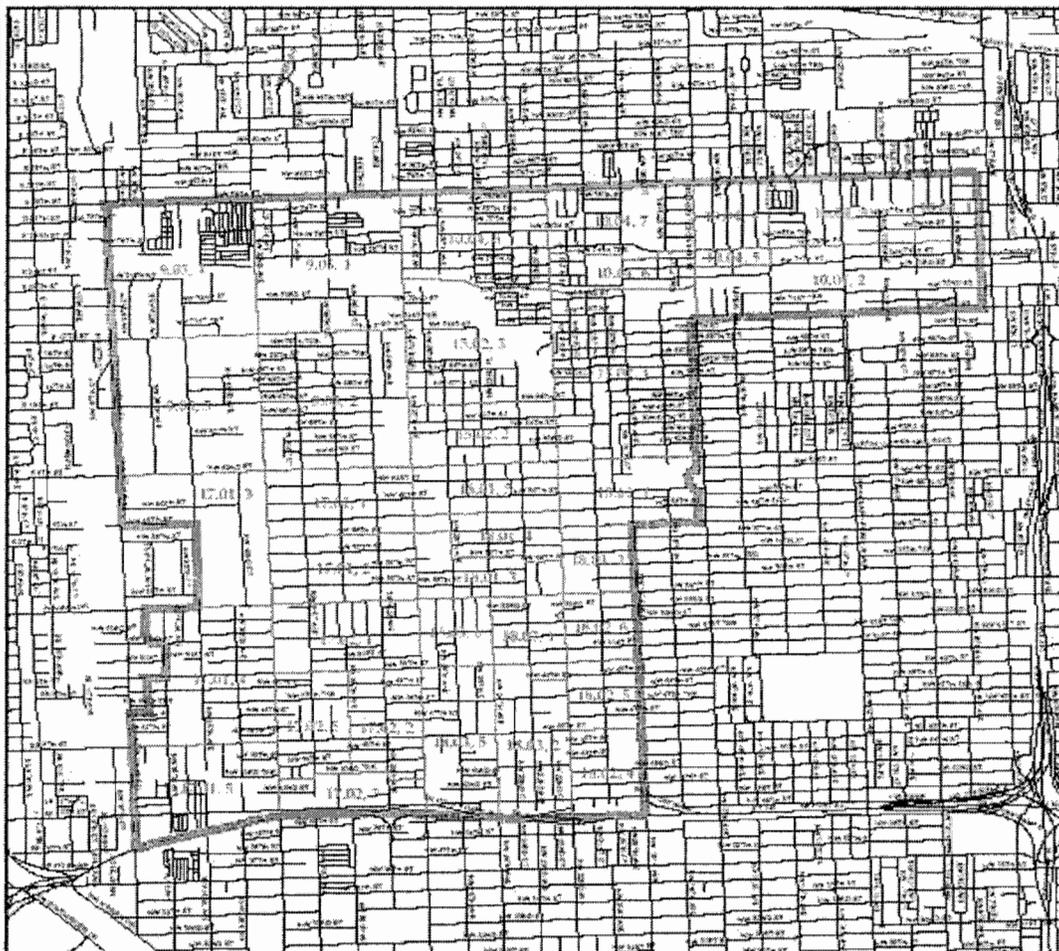
NOVEMBER 2009

Information Systems


DEPARTMENT OF PLANNING & ZONING
PLANNING RESEARCH SECTION

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MODEL CITY NRSA
MIAMI - DADE COUNTY, FLORIDA



LEGEND

- Model City NRSA Boundary
- 2000 Block Groups
- Streets and Highways

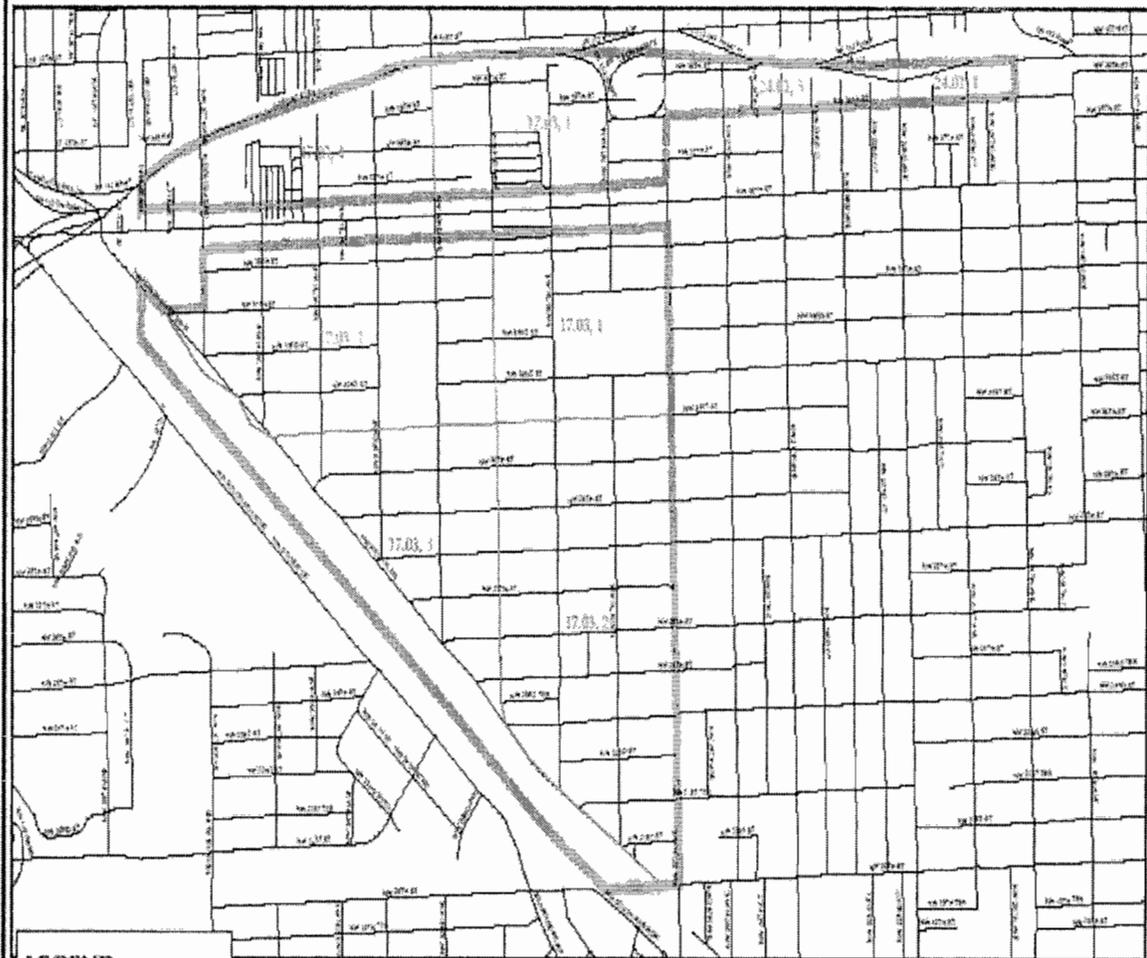


NOVEMBER 2007

Planning Research Section

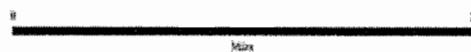
DEPARTMENT OF PLANNING & ZONING
PLANNING RESEARCH SECTION

MELROSE NRSA
 MIAMI - DADE COUNTY, FLORIDA



LEGEND

- Melrose NRSA Boundary
- 2000 Block Groups
- Streets and Highways



NOVEMBER 2007

DATE OF STUDY

MIAMI-DADE COUNTY
 DEPARTMENT OF PLANNING & ZONING
 PLANNING RESEARCH SECTION

PERRINE NRSA
MIAMI - DADE COUNTY, FLORIDA



LEGEND

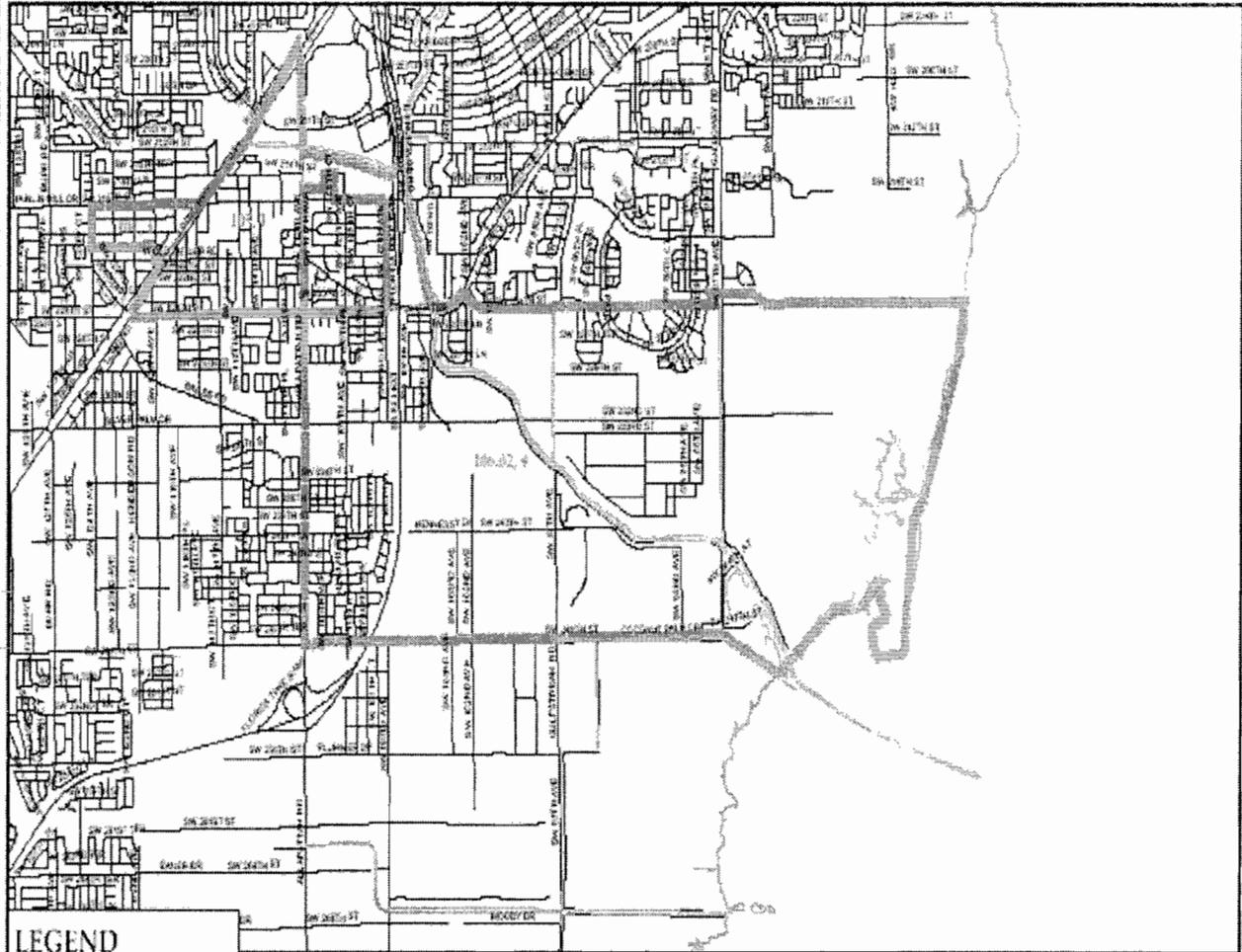
-  Perrine NRSA Boundary
-  2000 Block Groups
-  Streets and Highways



NOVEMBER 2007

 DEPARTMENT OF PLANNING & ZONING
PLANNING RESEARCH SECTION

GOULDS NRSA
 MIAMI-DADE COUNTY, FLORIDA



LEGEND

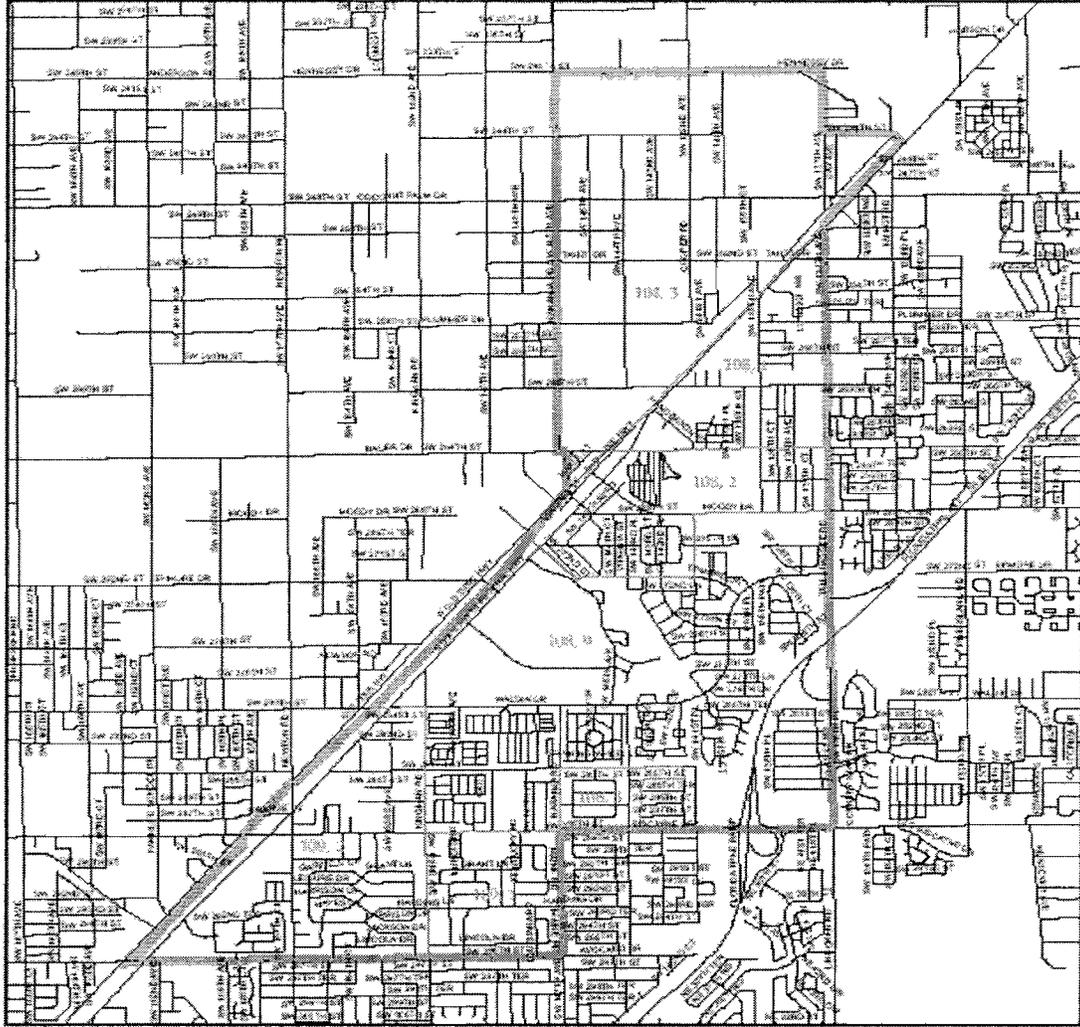
-  Goulds NRSA Boundary
-  2000 Block Groups
-  Streets and Highways

NOVEMBER 2007

planning research section


 DEPARTMENT OF PLANNING & ZONING
 PLANNING RESEARCH SECTION

LEISURE CITY NRSA
 MIAMI-DADE COUNTY, FLORIDA



LEGEND

-  Leisure City NRSA Boundary
-  2000 Block Groups
-  Streets and Highways



NOVEMBER 2007

Planning Research Section

MIAMI-DADE COUNTY
 DEPARTMENT OF PLANNING & ZONING
 PLANNING RESEARCH SECTION

ATTACHMENT E

PUBLIC COMMENTS, QUESTIONS AND RECOMMENDATIONS

DHCD held citizen participation meetings on April 25, 2011 and May 12, 2011 with the CAC Executive Committee members representing the eight NRSAs, to solicit their recommendations on the Policies which should govern the FY 2012 RFA and FY 2012 Action Plan.

The following chart addresses each of the issues and staff responses.

PROPOSED FY 2012 POLICY RECOMMENDATIONS NRSA Community Advisory Committees		Proposed Action Taken	Comments
1.	Utilize previously conducted NRSA charrettes and/or community plans (including Moss Plan) to establish neighborhood redevelopment priorities in the NRSAs.	Included in FY 2012 Proposed Policies as Policy #11.	Recommended for approval by DHCD. County to award bonus points to projects that respond to, or seek to implement, the development goals and objectives as identified and prioritized in such existing NRSA charrettes and/or community plans.
2.	Establish a system for county departments to inform/advise CACs of County projects that will impact/serve the respective NRSA.	Staff supports this request and will work closely with the Department of Small Business Administration for support and guidance in the implementation of this request.	With reference to CDBG funded projects which are carried out by County Departments, the Department is required to make semi-annual presentations to CACs on status of activities in the NRSAs.
3.	Require County Departments to submit applications for evaluation and funding under the established Request for Application (RFA) process, prioritizing funding for those departmental activities that will directly impact the NRSAs.	Not recommended.	
4.	Re-establish the funding set-asides for the NRSAs, allowing the respective CACs to directly fund desired projects in their respective target areas. Equally distribute the NRSA funding set-aside among the eight (8) NRSAs.	Not recommended.	The County will ensure that a minimum of 20 percent of CDBG funds is allocated to projects benefiting the NRSAs. Additionally, the CACs will continue to participate in the competitive selection process.
5.	Establish a referral network as a means of informing local community-based contractors, vendors, and/or businesses of procurement opportunities for County-funded projects and activities.	This request will be incorporated in item #2 above, as part of the proposed information network through which CAC members will be advised of business reference and employment opportunities	
6.	Require County Departments to make a Presentation before the respective NRSA being impacted by the proposed County project/activity. Final funding recommendations for County department activities would be vested with the respective NRSA CAC, based on community needs and priorities.	Included as Policy recommendation #12 in the Policy Paper	Staff does not support the 2 nd part of the request that "final funding recommendations for activities performed by County Departments to be vested with CACs.

PROPOSED FY 2012 POLICY RECOMMENDATIONS - NRSA Community Advisory Committees		Proposed Action Taken	Comments
7.	Increase the number of DHCD planning and community organizing staff designated to provide support to the eight (8) NRSA.	Request #7, #8, #9 and #14 were all grouped together as they relate to issues of staff support to the CACs in such areas as, developing community plans, coordination of community projects/activities, additional meetings, etc.	Not increasing staff, but the intent of the NRSA is to improve communications. DHCD will increase the number of NRSA meetings from quarterly (4 meetings per year), to bi-monthly (six meetings per year) which will better align with the Community Action Agency bi-monthly CAC meetings. DHCD staff proposes to utilize the expanded meeting schedule to provide the CACs with the additional technical support requested. This will be done with existing staff.
8.	Establish monthly NRSA meetings with each of the eight (8) CACs, increasing the quarterly frequency of existing meetings.	See response to #7 above	
9.	Permit the NRSA CACs to conduct Sub-committee meetings on an as-needed basis. The current Citizens Participation Plan currently limits the number of sub-committees and the frequency of meetings.	See response to #7 above	
10.	Establish mechanisms for enforcing Section 3 hiring goals and mandates, thereby creating a vehicle for ensuring that local residents receive hiring preferences.	This is federal requirement and is already enforced.	
11.	Eliminate the provision of County-owned land and funding to such groups as Habitat for Humanity, whose model does not facilitate fee-simple ownership or enable heirs to inherit the property.	The County will work with Habitat for Humanity to address the concerns of the CACs.	
12.	Create a process to engage the CACs in the monitoring of projects/activities to assure federal compliance.	Not recommended	County staff is responsible for the monitoring of all federally funded activities which are subject to audit by both the County's independent auditors and US HUD.
13.	Eliminate the existing requirement that respective RFA applicants demonstrate the availability of \$25,000 in working capital.	Not recommended	Each awardee must demonstrate financial capacity to incur expenses of the awardee's operation, because the County pays all federal grants expenses on a reimbursement basis.
14.	Allocate funding to the NRSA to hire a Development Coordinator to facilitate community planning, coordinate community projects/activities and to provide technical assistance to local agencies seeking funding under the RFA.	See response to #7 above.	

PROPOSED FY 2012 POLICY RECOMMENDATIONS – NRSA Community Advisory Committees		Proposed Action Taken	Comments
15.	Require that projects identified as "countywide" have measurable impact in the NRSA's.	This policy recommendation is included in the FY 2012 Proposed Policies as Policy #7.	Recommended for approval by DHCD.
16.	Designate <i>affordable housing</i> as an eligible activity for NRSA high priority funding under the FY 2012 RFA.	This Policy recommendation is included in FY 2012 Proposed Policies as Policy # 14.	Recommended for approval by DHCD and will allow the CACs to prioritize housing rehabilitation projects, but restricts new construction activities.
17.	Eliminate funding for business incubators, shifting such funding to the <i>Business Assistance Center</i> model.	Not recommended	County continues to support business incubators to promote job creation.
18.	Prioritize Economic Development projects, initiatives and activities for CDBG funding.	Ten percent of the CDBG funds will be earmarked to Economic Development activities.	Established as a priority in the prior year.
19.	Encourage outcome performance measures to be met in a more timely and efficient manner.	Already mandated by US HUD. DHCD will increase monitoring efforts to ensure compliance.	
20.	Allow funding of Public Service activities to be subject to the competitive RFA process.	Not recommended.	The ability to leverage the declining pool of funds available for Public Service activities with other funding sources, in concert with the larger population served by the County Departments providing these services, strongly favors the administration of these programs by County Departments which generally have additional resources to support public service programs. Additionally, to avoid duplication of services and ensure maximum utilization of the public service dollars, the provision of these services by County Departments which already provides the services from other resources than CDBG funds, supports the need for limiting the number of providers of the same service.